

- VOLUME A -

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff

v.

DARRYL CHAMBERS,

Defendant

CRIMINAL ACTION

NO. 97-105 (RRM)

Wilmington, Delaware
Monday, August 31, 1998
10:13 o'clock, a.m.

BEFORE: HONORABLE RODERICK R. McKELVIE, U.S.D.C.J.

APPEARANCES:

ROBERT J. PRETTYMAN, ESQ.,
Assistant United States Attorney

Counsel for Plaintiff

JOSEPH W. BENSON, P.A.
BY: JOSEPH W. BENSON, ESQ.

Counsel for Defendant

Valerie J. Gunning
Official Court Reporter

ORIGINAL

1 ALSO PRESENT:

2

CHRISTOPHER KOYSTE, ESQ.

3

Counsel for Faye Bullock

4

5

JOHN MALIK, ESQ.

6

Counsel for Linette Crawford

7

- - -

8

9

P R O C E E D I N G S

10

11

(Proceedings commenced at 10:13 a.m.)

12

13

THE COURT: Good morning.

14

MR. PRETTYMAN: Good morning, your Honor.

15

16

This is the time the Court has set for the
sentencing hearing in United States versus Darryl

17

Chambers, Criminal Action No. 97-105.

18

19

The defendant is present in the courtroom
with his attorney, and the Government is ready to proceed
with its first witness, your Honor.

20

21

THE COURT: All right. Fine. Call your first
witness, then.

22

23

24

MR. PRETTYMAN: Your Honor, before we do that,
the submission that the Government has already made in
connection with this case had as attachments a variety of

25

1 documents, and I would move their admission at this time.
2 I have another copy for the defense. It's the -- Exhibit
3 1 would be the Grand Jury testimony of Linette Crawford,
4 with Exhibit 2 being that of Grand Jury testimony of Faye
5 Bullock.

6 Government's Exhibit 3 would be the
7 transcription of the guilty plea proceeding of Faye Bullock.

8 Government's Exhibit 4 would be the guilty plea
9 hearing transcript of Linette Crawford.

10 Government's Exhibit 5 would be the felony
11 information, waiver of indictment, plea agreement,
12 documents of Faye Bullock.

13 Government's Exhibit 6 are the same documents
14 for Linette Crawford. And I would move their admission
15 at this time.

16 The Grand Jury exhibits I've redacted -- are
17 redacted to the extent they take out the phone numbers,
18 Social Security numbers, et cetera, of the witnesses.

19 THE COURT: All right. Any objection?

20 MR. BENSON: No objection, your Honor.

21 THE COURT: All right. They're admitted.

22 (Mr. Prettyman handed exhibits to the Court.)

23 *** (Government Exhibits No. 1 through 6 were
24 received into evidence.)

25 MR. PRETTYMAN: Your Honor, the Government

Donahue - direct

4

1 would call its first witness, Matthew Donahue.

2

- - -

3

GOVERNMENT'S TESTIMONY

4

5 ... MATTHEW G. DONAHUE, having been
6 duly sworn as a witness, was examined
7 and testified as follows ...

8

DIRECT EXAMINATION

9 BY MR. PRETTYMAN:

10 Q. Special Agent, by whom are you employed?

11 A. The Drug Enforcement Administration.

12 Q. How long have you been so employed?

13 A. Seven and a half years.

14 Q. What have been your assignments with DEA and over
15 what period did you serve at each assignment?

16 A. From June 1991, after graduating from the Academy
17 in Quantico, Virginia, I was assigned to Group 3 in the
18 Philadelphia Field Division, which is Cocaine and Crack
19 Cocaine Group. I have worked in there up until January
20 of 1998, where I was reassigned to the Philadelphia
21 International Airport, which is the Interdiction Group.

22 MR. PRETTYMAN: Your Honor, I want to show a
23 document which Mr. Benson already has a copy of (handing
24 exhibit to the witness.)

25 May I approach as necessary, your Honor?

Donahue - direct

5

1 THE COURT: All right. That's fine.

2 MR. PRETTYMAN: Thank you.

3 BY MR. PRETTYMAN:

4 Q. It's marked as Government's Exhibit 8.

5 In connection with another case, Special Agent
6 Donahue, did you prepare a curriculum vitae that appears
7 in front of you, a copy thereof, as Government's Exhibit
8 8 (handing exhibit to the witness)?

9 A. Yes, I did.

10 Q. Does that fairly and accurately depict your
11 qualifications in connection with your training and
12 experience, specifically with respect to crack cocaine
13 investigations?

14 A. Yes. There's a few updated things that needed to
15 be added, but that's pretty accurate.

16 Q. And, specifically, in connection with the duties
17 that you have undertaken as a Special Agent since you've
18 become a Special Agent, could you tell the Court briefly
19 what those duties are and include whether you have any
20 training and experience in cocaine and cocaine base, also
21 known as crack investigations?

22 A. Well, my duties, when I was assigned to Group No. 3
23 in Philadelphia, consisted of investigations of cocaine
24 and crack cocaine primarily.

25 Throughout the six years that I was in that

1 group, I received training from other officers, DEA in-
2 service training, training on cocaine and crack cocaine
3 identification, the processing of crack cocaine and the
4 packaging and pricing within the area.

5 I've also received training from the Northeast
6 Laboratory, which is our laboratory in New York, where all
7 of our drugs get sent to on the processing of crack
8 cocaine, how to cook it up and different additives to
9 crack cocaine.

10 I've received training in Quantico, Virginia
11 on drug I.D. and various other things. How to conduct
12 search warrants, raid training, in regards to cocaine and
13 crack cocaine.

14 Q. Does Government's Exhibit 8 fairly and accurately
15 depict your qualifications with the exception of certain
16 things that happened since then to increase your training
17 and experience?

18 A. Yes, it does. In addition, I was the drug
19 identification -- I used to teach to state and local
20 departments drug identification of crack cocaine, cocaine
21 and marijuana.

22 MR. PRETTYMAN: Your Honor, the Government
23 would move the admission of Government's Exhibit 8 for
24 this hearing.

25 MR. BENSON: No objection.

1 THE COURT: All right. It's admitted.

2 (Government's No. Exhibit 8 was received into
3 evidence.)

4 BY MR. PRETTYMAN:

5 Q. You just were talking about being an instructor.

6 Have you served as an instructor with DEA on cocaine,
7 also known as crack investigations?

8 A. Yes. I teach Field Division, other state agencies,
9 state and local departments.

10 Q. Approximately how many times have you conducted
11 such sessions on cocaine and crack cocaine?

12 A. Approximately ten times.

13 Q. Do you have experience as a law enforcement officer
14 in cocaine and cocaine also known as crack
15 investigations?

16 A. Yes.

17 Q. Approximately how many cocaine and crack cocaine
18 investigations have you participated in?

19 A. 150 to 200.

20 Q. And approximately how many cocaine and crack
21 cocaine search warrants have you participated in?

22 A. Approximately 50.

23 Q. And approximately how many debriefings of
24 informants and cooperating defendants and defendants have
25 you participated in in which the substance -- the

1 conversation was cocaine and crack cocaine?

2 A. Well over a hundred interviews of other officers,
3 cooperating defendants, informants, users, cooks,
4 various people like that.

5 Q. You mentioned the word cooks. Could you briefly
6 describe for the Court what a "cooker" is?

7 A. A cooker is someone that we call that actually
8 processes that cocaine hydrochloride into cocaine base,
9 which is better known as crack, that type of process.
10 They call themselves cooks, because they're the ones
11 that make it into the crack.

12 Q. Have you ever testified in Federal Court as an
13 expert on cocaine and cocaine base also known as crack
14 investigations?

15 A. Yes.

16 Q. Approximately how many times have you so testified?

17 A. Approximately six times.

18 Q. Specifically, have you so testified as an expert
19 on crack cocaine identification in Federal District Court
20 for the District of Delaware?

21 A. Yes, I have.

22 Q. Do you regularly review the literature on cocaine
23 and cocaine base also known as crack cocaine
24 identification and distribution?

25 A. Yes, I do. Our lab, which is our Intelligence Group

1 up in New York, frequently puts out literature to the
2 agents and officers about the packaging and processing of
3 crack cocaine.

4 Q. Do you regularly talk to other experts in the field
5 of cocaine and cocaine base, also known as crack
6 investigations and identification?

7 A. Yes, I do. I make it a habit to view crack cocaine
8 that is purchased in the area by other agents or other
9 informants and also undercover agents and other senior
10 officers and agents.

11 Q. Approximately how often or how many times have you
12 talked to DEA forensic chemists about cocaine and crack
13 cocaine as part of your duties?

14 A. Depending on the case, I frequently speak with
15 other agents and officers and, when need be, I would call
16 the Northeast Regional Laboratory for any questions I
17 might have.

18 Q. Approximately how many times have you participated
19 in the seizure or have observed cocaine base, also known
20 as crack?

21 A. About 250 times.

22 Q. What is the appearance in terms of the way it looks,
23 including the color of the seized crack that you have
24 seen?

25 A. Crack cocaine could be somewhat of an off-white,

Donahue - direct

10

1 grayish or yellowish tint. It's a lot harder than
2 cocaine hydrochloride. It's almost in a rock form.

3 Q. And the texture is what?

4 A. It's a solid as opposed to what -- cocaine
5 hydrochloride is a crystalline powder.

6 Q. Have you ever felt crack cocaine that was wrapped
7 in plastic before or either covered with duct tape or
8 something else to seal the package?

9 A. Yes.

10 Q. Approximately how many times have you felt crack
11 cocaine that way?

12 A. Numerous times. Probably about 20 times, anywhere
13 from an ounce up to a kilo.

14 Q. How would you describe the feel of the crack
15 cocaine through the package?

16 A. Extremely hard. Almost like a rock-like substance.
17 It's usually wrapped pretty type with various type of
18 wrappings to try to keep it either air sealed or to
19 prevent any type of liquid or any foreign substances
20 getting inside of the package. But it's normally
21 pretty hard.

22 Q. What is the appearance of the seized cocaine
23 hydrochloride that you've seized or seen before,
24 including the color and texture?

25 A. Cocaine hydrochloride is crystalline powder. It's --

1 when it's chipped off, for example, a kilo, it would come
2 off as a flaky substance. When you push on it with your
3 fingers, you can almost crush it and it breaks up
4 relatively easy and it's a lot whiter than what crack
5 cocaine would be.

6 Q. Have you ever felt cocaine hydrochloride that was
7 wrapped in plastic and sealed with duct tape before?

8 A. Yes, I have.

9 Q. Approximately how many times?

10 A. About 50 times.

11 Q. How did that feel? Specifically address also how
12 that feels in comparison with the way crack cocaine
13 similarly packaged would feel?

14 A. That could depend on the weight. If it was a kilo
15 amount, it would still be relatively hard, being that
16 it's usually vacuum-sealed for transportation purposes
17 from foreign countries into the United States. But in
18 ounce quantities, such as in plastic baggies, squeezing
19 it between your finger and your thumb could easily break
20 the package up relatively easy and break it down into a
21 flaky substance.

22 Q. If it was cocaine hydrochloride?

23 A. That's correct.

24 Q. And if it was crack cocaine, it would still feel --

25 A. Sometimes you wouldn't be able to break it with

1 your two fingers, it's that solid.

2 Q. As part of your law enforcement duties and
3 training, have you ever processed cocaine hydrochloride
4 and sodium bicarbonate to make the crack cocaine as part
5 of your DEA training exercises?

6 A. That's correct. When teaching drug identification,
7 primarily crack cocaine, I will cook crack cocaine for
8 students in the class, to show them the processing of it
9 and what to look for during the search warrant, which
10 would show them what to look for if people were processing
11 crack cocaine.

12 Q. Approximately how many times have you conducted
13 such training exercises?

14 A. I cooked crack cocaine probably about ten times.

15 Q. Could you briefly, for the Court, describe the
16 process by which cocaine hydrochloride is processed into
17 cocaine -- to crack cocaine, cocaine base, using the
18 sodium bicarbonate method?

19 A. Yes. The most common way is using the sodium
20 bicarbonate method, which is the baking soda. What
21 they're using the majority of the time is a Mr. Coffee
22 pot, which they like to use glassware. They would add
23 water and mix the cocaine hydrochloride in with the water
24 and then add one part of sodium bicarbonate, which would
25 be the baking soda.

1 They would heat the substance up, and an
2 oily substance would form at the bottom of the coffee pot.
3 They could add ice to the inside or actually run cold
4 water on the inside of the coffee pot and that would
5 harden the substance, which would be the cocaine base at
6 the bottom.

7 The object of the sodium bicarbonate was to
8 extract other dilutants from the cocaine hydrochloride,
9 using you with a pure cocaine base.

10 Q. How did the crack cocaine look that you made and
11 the students in your training sessions made as part of
12 the training sessions compared to the crack cocaine that
13 you seized on the street?

14 A. It came out a few times almost like a grayish, but
15 majority of the time it would come off like almost a
16 yellowish tint to it, really rock-like substance, and I
17 could get it to come out as one big chunk. If you use a
18 big glassware, that's usually the preferable way to get
19 it out of there. That way you could cut it up and package
20 it a lot easier.

21 Q. Did that crack cocaine look the same whether you
22 made it, your students made it or DEA chemists made it
23 as part of those training exercises?

24 A. That's correct. Every time I've seen it, I've made
25 it up at the Northeast Regional Lab along with the

Donahue - direct

14

1 laboratory technicians, and it came out identical to when
2 I cooked it for the students.

3 Q. Did you ever make crack cocaine that you and/or
4 your classmates or students made as part of DEA training
5 exercise and have that analyzed by a chemist for cocaine
6 base and sodium bicarbonate?

7 A. Yes. That's correct. For the Philadelphia Police
8 Department, I cooked it up for the Narcotics Squad. It
9 was about an ounce of cocaine hydrochloride. We were
10 required to send it to the lab to have them test it and
11 weigh it to make sure we're sending back the right
12 amount. The tests came back negative.

13 Q. You used cocaine hydrochloride. You manufactured
14 crack cocaine, and the chemists from the Philadelphia
15 Police Department who analyzed it found no sodium
16 bicarbonate in the finished product of crack?

17 A. That's correct.

18 MR. PRETTYMAN: Your Honor, I'm going to
19 show this to Mr. Benson.

20 (Mr. Prettyman handed Government's Exhibit
21 No. 9 to Mr. Benson.)

22 BY MR. PRETTYMAN:

23 Q. Special Agent Donahue, I'm going to show you what
24 has been marked as Government's Exhibit 9. Could you
25 look at that and see if there -- if that is sealed and if

Donahue - direct

15

1 you see any signs of any tampering or alteration of it?

2 A. No. It's taped up one end and it has an evidence
3 sticker on the other, sealing both ends.

4 Q. Could you open Government's Exhibit 9, please, and
5 tell the Court what you see inside?

6 (Pause while the witness opened the envelope.)

7 THE WITNESS: It's various forms of what we
8 call C.D.'s, which are packaging for crack cocaine, in
9 about \$5 packages. And they have numbers on them, which
10 is from the analysis of the laboratory.

11 BY MR. PRETTYMAN:

12 Q. All right.

13 Can you see the substance inside each of
14 those exhibits?

15 A. Yes.

16 Q. Each of the contents?

17 A. Yes, you can.

18 Q. And please take a look at each of those packages
19 inside and tell the Court, based upon your training and
20 experience, what you believe the contents of Exhibit 9
21 is?

22 A. It's crack cocaine, better -- it's cocaine base,
23 known as crack cocaine.

24 Q. How does the contents of Exhibit 9 look compared
25 to other crack cocaine that you've seized or seen before

Donahue - direct

16

1 as part of your DEA duties, including the training
2 duties?

3 A. It's identical to what I've seen before.

4 Q. And based upon your training and experience, what
5 street name does Exhibit 9, the contents of Exhibit 9,
6 go by?

7 A. Crack cocaine.

8 MR. PRETTYMAN: Thank you.

9 I'm sorry. I would move the admission of
10 Government's Exhibit 9. Thank you.

11 THE COURT: All right.

12 Cross-examination?

13 *** (Government's Exhibit No. 9 was received into
14 evidence.)

15 CROSS-EXAMINATION

16 BY MR. BENSON:

17 Q. Mr. Donahue?

18 A. That's correct.

19 Q. Concerning your training, I'm just curious about a
20 couple things.

21 Number one, I understand you had special
22 training in order to learn how to cook cocaine into crack;
23 is that correct?

24 A. That's correct.

25 Q. And I presume -- I presume as part of that training,

1 it was being able to differentiate crack cocaine from
2 powder?

3 A. That's correct.

4 Q. Okay.

5 And obviously part of that training had to do
6 with looking at powder cocaine and looking at crack
7 cocaine, and you were taught how to differentiate one
8 from the other by looking at it; isn't that correct?

9 A. That's correct.

10 Q. I mean, that's part of your training?

11 A. That's correct.

12 Q. Right?

13 How long did this training take? I'm sorry.
14 Is there a title I should give you? Mr. or Agent?

15 A. Whatever you like.

16 Q. Okay.

17 How long did this training take?

18 A. About seven years. For as long as I've been
19 working for DEA.

20 Q. So it took seven years of training and you are
21 still being trained, I guess, to some extent; isn't that
22 correct?

23 A. Somewhat. You never know everything, so...

24 Q. Sure.

25 So seven years to learn that. And as also

1 part of this seven-year training, it was being able to
2 differentiate by feel crack cocaine from powder cocaine
3 when you're not able to view it; isn't that correct?

4 A. Not just by feel. By sight.

5 Q. I understand. But if you can't see it and you're
6 looking at a package, you need to be able to feel the
7 package and you just testified that one of the things
8 that you've been taught through this seven years of
9 training is by feeling a package that is not able to be
10 viewed, you can tell the difference, at least sometimes,
11 I guess?

12 A. It's an indicator that that would be crack cocaine
13 rather than hydrochloride.

14 Q. That's something you had to be taught and trained;
15 is that correct?

16 A. Taught and trained and actually experience from
17 touching it.

18 Q. And trained?

19 A. Yes.

20 Q. Before that training and teaching, you weren't able
21 to successfully do that on a regular basis; isn't that
22 correct?

23 A. No. I --

24 Q. Differentiate by feel?

25 A. Well, I could do it on a regular basis.

1 Q. Okay.

2 A. Before I received training from a laboratory and
3 other classes, I've learned from other agents and officers
4 and also from interviews and buying the substance myself
5 and seizing it from other buys from informants.

6 Q. Okay.

7 So you learned from experience and training
8 over a period of time to differentiate; is that correct?

9 A. That's correct.

10 Q. Okay.

11 Let me ask you this: If you're cooking powder
12 cocaine into crack, and I don't know how to do this, but
13 you're the expert, let's say you -- typically, you would
14 pick a quantity of powder? Is there any typical quantity
15 of powder that is used to cook down to crack?

16 A. You --

17 Q. I mean you don't cook a key, do you?

18 A. That's usually -- at the most you would probably
19 cook at a time, depending on the size of your pot, might
20 be a pound, at most.

21 Q. Okay.

22 A. I wouldn't cook all the way with a kilo. You've
23 got to break it down.

24 Q. You're talking about a pound, which is 16 ounces;
25 right?

1 A. What you're going to see commonly are
2 quarter-pounds.

3 Q. So a quarter-pound?

4 A. Mm-hmm.

5 Q. Which is 4 ounces; right?

6 A. More or less, yes, because the kilo is 2.2 pounds,
7 so when you buy --

8 Q. I understand. We're not talking about a key,
9 we're talking about a pound. You said it's typical of
10 a pound.

11 A. When you go by street terms and you know what you
12 are doing undercover-wise, you should get more than 4
13 ounces.

14 Q. Agent, I'm not trying to be difficult with you. I
15 just asked you what would you typically cook, and you
16 mentioned not a key, but maybe a pound.

17 A. Pound. More commonly a quarter-pound.

18 Q. Okay. A quarter-pound, which is 4 ounces?

19 A. Correct.

20 Q. Forget what that relationship is to a key. A
21 quarter-pound is four ounces?

22 A. That's fine. Correct.

23 Q. Do you agree with that?

24 A. I agree.

25 Q. We don't need any special training for that?

Donahue - cross

21

1 A. No, you don't.

2 Q. Now you have 4 ounces of powder. That's fairly
3 typical.

4 And how much quantity of bicarbonate soda do
5 you put with that?

6 A. On the average, one part sodium bicarbonate, three
7 parts cocaine hydrochloride.

8 Q. Okay.

9 A. 25-percent sodium bicarbonate, 75 percent --

10 Q. If you have a quarter -- 4 ounces, you would
11 put like 1-1/4, 1-1/2 ounces?

12 A. Or 3 ounces of cocaine, then another ounce of
13 sodium bicarbonate.

14 Q. And the cooking would be like 3 ounces. It would
15 be easier if you weighed out 3 ounces and then add 1
16 ounce. So that would be less than a quarter of a pound?

17 A. Depending. A lot of people just do it by eye.
18 They put the 4 ounces in. They're going to put in a
19 tablespoon of sodium bicarbonate.

20 Q. When that cooks down, what is the weight of that
21 that is left?

22 A. It's going to depend on the sodium bicarbonate,
23 because the sodium bicarbonate is to extract -- if you
24 have maybe 50-percent cocaine hydrochloride, you're
25 going to end up with less crack, because there's more

1 dilutants in 80-percent purity.

2 Q. I'm happy to say I didn't understand what you said.

3 A. If you have 80-percent purity of cocaine
4 hydrochloride, and you cook that up with sodium
5 bicarbonate, it's going to extract all the dilutants,
6 lydocaine, B-12, whatever the cut is for the cocaine
7 hydrochloride.

8 So instead of -- an example, for an ounce,
9 which is 28 grams, you cook up an ounce of hydrochloride
10 at 28 grams, you might get 25, 24 grams of crack cocaine,
11 because all the dilutants are extracted from the
12 hydrochloride, so it takes away from the weight of crack
13 cocaine.

14 Q. You saw the powder cocaine that was seized at the
15 time of Mr. Chambers' arrest?

16 A. No.

17 Q. You don't know about that?

18 A. That's the first time I seen the crack cocaine
19 right then.

20 Q. That's the crack?

21 A. Mm-hmm.

22 Q. You haven't seen the powder or the crack other
23 than until just now?

24 A. That's correct.

25 Q. So do you have the powder cocaine there?

1 A. No. I believe it's all crack packaging in here.

2 Q. So you don't know the purity of the powder cocaine?

3 A. No.

4 Q. Let's just presume -- strike that, please.

5 You know from your experience and training
6 what is going on in Delaware, I presume, as far as
7 cocaine trafficking?

8 A. That's correct.

9 Q. Okay.

10 What is the typical purity of the cocaine
11 powder that is being sold in Delaware?

12 A. There's really no typical. It depends on the
13 shipments that come from South America, Puerto Rico. Some
14 kilos can be as high as 95. They can be as low as 40.

15 Q. If it's 80 percent, which is the figure you used,
16 and you use 3 ounces of powder and 1 ounce of cut -- I
17 mean 1 ounce of bicarbonate, you cook that down. And
18 what are you going to end up with?

19 A. Well, on an average, again, it depends what the cut
20 is. If the cut is cocaine or benzocaine, it's going to
21 act like hydrochloric acid and it's going to attach
22 itself to the crack -- the cocaine base. But the ratio
23 that we usually go by is every 28 grams of cocaine
24 hydrochloride, we'll come out with 22.9 grams of
25 cocaine base. That's on the average that we have.

1 Q. Okay.

2 So can you just do it for me in your head a
3 little bit? 3 and 1 --

4 A. Mm-hmm.

5 Q. What would that end up with? Like about 3?

6 A. 3 --

7 Q. Ounces? I'm sorry. 3 ounces of powder, one of
8 the bicarbonate of soda. You cook that down, because
9 you're using 20 -- 3 ounces is how many grams? 84?

10 A. 84.

11 Q. So 84 grams of powder and then you would use 28
12 grams of bicarbonate of soda. So that would be 112.
13 What's that going to come down to?

14 A. Come to maybe around 62 grams.

15 Q. Which is?

16 A. Again, it depends on --

17 Q. 2-1/2 ounces?

18 A. It's going to depend on the cocaine hydrochloride.
19 So if you can't give an --

20 Q. That would come out to about 2-1/2 grams.

21 A. Roughly, yes.

22 Q. So 4 ounces, 3 and 1, comes out to 2-1/2?

23 A. Roughly.

24 Q. Roughly.

25 A. Depending.

1 Q. I understand.

2 MR. PRETTYMAN: Excuse me, your Honor. I
3 think Mr. Benson misspoke. He said 2-1/2 grams as opposed
4 to 2-1/2 ounces.

5 MR. BENSON: I'm sorry.

6 THE COURT: All right.

7 BY MR. BENSON:

8 Q. 3 ounces ends up with 2-1/2 ounces.

9 Now, feeling that cocaine, that crack in
10 there, is there a significant difference in the feel
11 from powder?

12 A. Yes, there is.

13 Q. Because I felt that and, you know, that didn't
14 seem chunky and rock-like to me.

15 A. Well, when it gets in these little baggies, it's
16 almost like little pebbles and the way it's packaged
17 here, which is typical for crack cocaine packaging, you
18 can feel little pebbles inside the little C.D. packages,
19 is what we call them. And that even adds to the feel for
20 it, the little pebbles inside the baggies.

21 Q. If you are carrying it, say you're carrying it in
22 a bag -- in a shopping bag. I mean, looking at it, you
23 couldn't tell by looking at a package that's not
24 transparent what the drugs are that are inside that
25 package; right?

Donahue - cross

26

1 A. I couldn't.

2 Q. I'm sorry?

3 A. I couldn't.

4 Q. You could not?

5 A. No.

6 Q. And so in order to be able to differentiate under
7 the best scenario from your perspective, you'd have to
8 pick that package out of the bag and feel it; right?

9 A. Depending on the situation, I guess.

10 Q. Well, yes.

11 A. If it's anybody in the shopping center, I wouldn't
12 walk up and assume there's crack inside the package, no.

13 MR. BENSON: Thank you.

14 MR. PRETTYMAN: Your Honor, I have a few
15 questions, please.

16 THE COURT: All right.

17 REDIRECT EXAMINATION

18 BY MR. PRETTYMAN:

19 Q. You testified, I believe, that the cooking of
20 cocaine hydrochloride into crack cocaine, the amount that
21 you get or the amount that you could cook depends on the
22 size of the coffee pot or other vessel like a coffee pot
23 which is being used to cook the cocaine hydrochloride
24 into crack; is that correct?

25 A. That's correct. That's why they use a coffee pot.

1 It has a bigger opening at top and it's glassware and
2 holds the most amount of water that it can instead of
3 like beaker types.

4 Q. In connection with your testimony, to make sure I
5 understand it, based upon Mr. Benson's question, did you
6 say that it could be up to a pound of cocaine
7 hydrochloride that could be cooked into crack using
8 reaction vessels of the right size, but that your normal
9 amount that you have seen was a quarter-pound, 4 ounces?

10 A. Actually, normal is what they would cook, is about
11 a quarter-pound at a time. I have seen it cooked up to
12 about a pound at a time, but you have to have the
13 glassware for it.

14 Q. If you had multiple glassware or if you repeated
15 the process, you could continue to cook?

16 A. Sure. It takes five, ten minutes to cook crack
17 cocaine up. You could just do it numerous times. You
18 have four heaters on top of a stove, so you could do
19 four pots at once, if you wanted to.

20 MR. PRETTYMAN: Thank you. I have no
21 further questions, your Honor.

22 THE COURT: All right. You may step down.

23 THE WITNESS: Thank you, your Honor.

24 MR. PRETTYMAN: Your Honor, may Special Agent
25 Donahue be excused, please?

Donahue - redirect

28

1 THE COURT: All right. You're excused.

2 (Witness excused.)

3 - - -

4 MR. PRETTYMAN: Your Honor, I move the
5 admission of the exhibit that he opened. I'm not sure
6 if I --

7 THE COURT: I think you already did. Anyway,
8 it's admitted.

9 MR. PRETTYMAN: Special Agent Donahue gave
10 me Exhibit 8, which I believe was admitted as well.

11 With the Court's permission, I'd like to call
12 Dr. Dasgupta as the next witness.

13 THE COURT: All right.

14 MR. PRETTYMAN: My understanding is he's right
15 outside the door.

16 - - -

17 ... AMALENDU DASGUPTA, having been
18 duly sworn as a witness, was examined and
19 testified as follows ...

20 DIRECT EXAMINATION

21 BY MR. PRETTYMAN:

22 Q. Good morning, Doctor.

23 A. Good morning.

24 Q. Could you tell us by whom you are employed?

25 A. I'm employed by the Office of Chief Medical

1 Examiner, State of Delaware.

2 Q. And in what capacity are you employed?

3 A. I'm Chief Forensic Toxicologist.

4 Q. And what is your -- or is another word for that a
5 forensic chemist analyzing substances to see what drugs
6 they are?

7 A. Yes.

8 Q. How long have you been a forensic toxicologist,
9 forensic chemist, with the Medical Examiner's Office for
10 the State of Delaware?

11 A. September 1974.

12 Q. Until the present?

13 A. Yes.

14 Q. What are your duties as a forensic chemist with
15 the Medical Examiner's Office?

16 A. First of all, I'm the laboratory supervisor, and I
17 do all the laboratory operations at the lab and also I
18 do analysis.

19 MR. PRETTYMAN: Your Honor, I'm going to show
20 Government's Exhibit 7 to the defense. They received a
21 copy of this in discovery.

22 And I would -- may I approach this witness as
23 well, your Honor?

24 THE COURT: All right.

25 BY MR. PRETTYMAN:

Dasgupta - direct

30

1 Q. Dr. Dasgupta, do you recognize what that is a copy
2 of (handing exhibit to the witness)?

3 A. Well, it's the copy of the letter that I sent to
4 you and sent some material over that you asked for.

5 Q. Does that Government's Exhibit 7, does that have
6 your curriculum vitae? In other words, your educational
7 qualifications, your training and experience as a forensic
8 chemist analyzing cocaine and cocaine base, also known as
9 crack?

10 A. Yes.

11 Q. And is that a fair and accurate depiction of your
12 training and qualifications to be a forensic toxicologist
13 with the Medical Examiner's Office?

14 A. Yes, sir.

15 MR. PRETTYMAN: Your Honor, I would move
16 the admission of that document into evidence.

17 MR. BENSON: No objection.

18 THE COURT: It's admitted.

19 MR. PRETTYMAN: Thank you, your Honor.

20 *** (Government's Exhibit No. 7 was received into
21 evidence.)

22 BY MR. PRETTYMAN:

23 Q. Specifically, I want to ask you about some
24 training in connection with cocaine and crack cocaine,
25 cocaine base.

Dasgupta - direct

31

1 A. Yes.

2 Q. Have you received training to determine whether a
3 substance is cocaine or cocaine base, also known as
4 crack?

5 A. We deal with the method in our lab by taking some
6 guidance from published material, so I did not receive
7 any training, but we really follow the procedure of
8 doing that analysis.

9 Q. Do you use scientific equipment to analyze and
10 weigh substances to determine if a substance is cocaine
11 or cocaine base, also known as crack?

12 A. Yes.

13 Q. And approximately how many times have you used
14 that scientific equipment to analyze and weigh substances
15 to determine whether the substance is cocaine? And then
16 the next question is for cocaine base, also known as
17 crack?

18 A. I do about 30 exhibits per week, if not more, on
19 cocaine and cocaine base. Nowadays we are getting most
20 of the exhibit as cocaine base. So the majority of
21 those should be cocaine base.

22 Q. Okay.

23 Have you ever testified as an expert in State
24 of Delaware courts as an expert on whether a substance
25 you analyzed is cocaine?

Dasgupta - direct

32

1 A. Yes, I did.

2 Q. Approximately how many times?

3 A. I testify at least twice a month.

4 Q. For your whole tenure, from 1974 to the present?

5 A. At the beginning, I did not testify that often,
6 but after that, yes.

7 Q. And the same question for cocaine base, also known
8 as crack. Have you ever testified as an expert in the
9 State of Delaware courts as an expert on whether a
10 substance you analyze is cocaine base, also known as
11 crack?

12 A. Yes.

13 Q. Approximately how many times?

14 A. About the same time.

15 Q. Have you ever testified as an expert here in
16 Federal Court on whether you substance you analyzed is
17 cocaine base, also known as crack?

18 A. I don't recall whether it was cocaine, but I
19 testified in Federal Court on drug cases.

20 Q. Okay.

21 (Pause.)

22 BY MR. PRETTYMAN:

23 Q. Dr. Dasgupta, earlier in court, Exhibit No. 9,
24 which was sealed, and had no signs of tampering, was
25 opened this morning.

Dasgupta - direct

33

1 I also have Government's Exhibits 10-A, 10-B
2 and 10-D (handing exhibits to the witness). I going to
3 ask you to take a look at those and see whether you
4 analyzed those, the contents of those packages, to
5 determine what the substances were?

6 A. Yes, I have analyzed these, because I see my initial
7 on all of them.

8 Q. All right.

9 Were each of these exhibits packaged and
10 labeled when you received them to do your analysis?

11 A. Yes. They were intact.

12 Q. And there were no signs of tampering? They were
13 fully sealed, each Government's Exhibits 9, 10-A, B and
14 D, I believe?

15 A. Yes.

16 Q. Whatever is in front of you?

17 A. Yes.

18 Q. What steps did you take to analyze and weigh
19 Exhibit 9?

20 A. Exhibit 9 is...

21 Q. Exhibit 9 is the opened one, right here, which you
22 have as 97-316E.

23 A. I have to review my lab report.

24 The first test that I did is called color
25 test.

Dasgupta - direct

34

1 Q. Your Honor, I believe Mr. Benson has a question.

2 MR. BENSON: Do you have a copy of the lab
3 report?

4 MR. PRETTYMAN: I gave it to you in discovery.
5 It's Page 148 of discovery.

6 MR. BENSON: I don't know if I brought that
7 with me.

8 THE COURT: If you want that on the record,
9 you're going to have to speak up.

10 MR. BENSON: I'm just asking for a copy of
11 that, your Honor. I don't know if I have it with me. I
12 was looking for it and I can't find it. If he has an
13 extra copy, it might be nice. I mean, it's in here
14 somewhere, probably.

15 MR. PRETTYMAN: I can share my copy, your
16 Honor. I don't have an extra one.

17 THE COURT: All right.

18 (Mr. Prettyman handed an exhibit to Mr.
19 Benson.)

20 BY MR. PRETTYMAN:

21 Q. Dr. Dasgupta, could you tell the Court what you
22 did to analyze Government's Exhibit 9?

23 A. Yes. First of all, I opened the envelope up. I cut
24 it at the opposite end where the seal is. And then I took
25 out the evidence and looked at the evidence, weighed the

1 evidence, and recorded the net weight. Net weight means
2 the weight of material itself, not the plastic bags
3 involved.

4 And then I took a portion of the material and
5 analyzed it by a test that's called color test. And if
6 it is cocaine, we'll see a bright color. If it is not
7 cocaine, it's cocaine base, then we won't see a bright
8 color. And we have to add some acid to it to make it
9 cocaine hydrochloride and immediately we see color,
10 appearance of color.

11 So that was the first step that we followed.
12 And then what I did is I took a portion of that and did
13 a thin-layer chromatographic analysis.

14 Q. Thin-layer...

15 A. Chromatographic analysis.

16 Q. Thank you.

17 A. And that showed it was cocaine base. Now, the way
18 we do thin-layer chromatography analysis is we use a
19 solvent to dissolve the substance and that solvent is
20 hexane. If cocaine is present, we won't see anything by
21 that analysis. If cocaine base or crack is present,
22 then we will see a sign of cocaine base on thin-layer
23 chromatographic analysis.

24 So that's -- the matter that we use is based
25 on solubility.

Dasgupta - direct

36

1 Then, once we find out that this -- this may
2 be cocaine base or crack, we do an FTIR analysis. An
3 FTIR analysis is almost like fingerprint of the
4 substance. So it conformed my observation that it was
5 cocaine base.

6 Q. Okay.

7 And another word for cocaine base that you
8 use is crack; is that correct?

9 A. Yes.

10 Q. Are these the proper tests and commonly accepted in
11 the scientific community for determining whether a
12 substance is cocaine base, also known as crack, and for
13 weighing the substance?

14 A. Yes, sir.

15 Q. Did you properly perform these tests that you just
16 mentioned?

17 A. Yes, sir.

18 Q. And these were all on Government's Exhibit 9?

19 A. Yes, sir.

20 Q. Did you use properly-calibrated testing and
21 weighing instruments when you performed your analysis
22 of Government's Exhibit 9?

23 A. Yes, sir.

24 Q. And was Exhibit 9 in the same condition when
25 you analyzed and weighed it as when you received it?

1 A. Yes, sir.

2 Q. What is your conclusion from your analysis and
3 weighing of Government's Exhibit 9 as to what the
4 substance is in there?

5 A. Cocaine base, crack.

6 Q. Now, you selected a random sample of the bags that
7 were in there to test; is that correct?

8 A. Yes, that's correct.

9 Q. Did you randomly select which bags to test for
10 cocaine base, also known as crack?

11 A. Yes.

12 Q. And did you weigh the substance in the bag without
13 the bag to get the net weight, as you mentioned earlier?

14 A. Yes, sir.

15 Q. Did anyone tell you which bags to select to do your
16 testing on?

17 A. No.

18 Q. Is the number of bags you selected to test and the
19 manner in which you selected which bags to test
20 consistent with the accepted standards of reliability in
21 the field of forensic science toxicology?

22 A. Yes.

23 Q. And how many bags did you test out of the how many
24 bags that were there?

25 A. 50.

Dasgupta - direct

38

1 Q. You tested 50 bags out of 242?

2 A. Yes. It's in my report also.

3 Q. Did the contents of all the bags of cocaine base,
4 also known as crack, including the bags that you did not
5 test, appear to be the same in weight and in physical
6 appearance? Lumpy, rock-like, chunky, whitish?

7 A. They look similar.

8 Q. And did the plastic bags containing the drugs in
9 Government's Exhibit 9 all appear to be the same? They
10 had animals stamped on them?

11 A. Yes.

12 Q. Do you have any doubts as to your analysis that the
13 substance that you have tested in Government's Exhibit 9
14 is cocaine base, also known as crack?

15 A. I don't have any doubt of it.

16 Q. And are the testings that you performed conclusive
17 as to whether a substance is cocaine base, also known as
18 crack, that you've done on Government's Exhibit 9?

19 A. Yes.

20 Q. Do you at the Medical Examiner's Office have
21 equipment to determine whether cocaine base, also known
22 as crack cocaine, contains residue of sodium bicarbonate
23 from the manufacturing process?

24 A. Well, it should, the equipment that we have. But
25 we are working on that and we could not find sodium

1 bicarbonate. It's kind of difficult.

2 Q. Based upon your understanding of the manufacture
3 and cooking process of cocaine hydrochloride and sodium
4 bicarbonate, if the proper amount was used, would there
5 be no sodium bicarbonate in the residual product?

6 A. Yes.

7 Q. Is baking soda another word for sodium bicarbonate?

8 A. Yes.

9 Q. And you were working on trying to get the equipment
10 at your lab to be able to do these type of analyses to
11 see if there's sodium bicarbonate?

12 A. Yes.

13 Q. Based upon your training and experience in
14 analyzing the numerous samples of cocaine base, also known
15 as crack, that you analyze, do you believe that all lumpy,
16 chunky, rock-like cocaine base that looks like the cocaine
17 base that you analyzed here is crack?

18 A. No.

19 Q. And that there's some that would not be crack; is
20 that correct?

21 A. Yes.

22 Q. But based upon your training and experience, you
23 believe that is crack?

24 A. Yes.

25 Q. Now, do you also have Government's Exhibits I

Dasgupta - direct

40

1 believe 10-A, B and D in front of you?

2 A. Yes.

3 Q. Did you analyze the contents of those three
4 exhibits?

5 A. Yes, I did.

6 Q. What steps did you take to analyze and weigh those
7 exhibits?

8 A. The same steps that I described before.

9 Q. Are these the proper tests, generally and commonly
10 accepted in the scientific community to determine
11 whether a substance is cocaine?

12 A. Yes.

13 Q. And for weighing the substance?

14 And did you properly perform these tests on
15 Exhibit 10?

16 A. Yes, I did.

17 Q. Did you use properly calibrated testing and
18 weighing instruments when you performed your analysis
19 of Exhibit 10?

20 A. Yes, I did.

21 Q. Was Exhibit 10 in the same condition when you
22 analyzed and weighed it as when you received it? When I
23 say 10, it's always 10-A, B and D?

24 A. Yes.

25 Q. What is your conclusion from your analysis and

Dasgupta - direct

41

1 weighing of Exhibit 10?

2 A. Exhibit 10, which is A, B and D, they contain
3 cocaine.

4 Q. That's cocaine hydrochloride; is that correct?

5 A. That's cocaine hydrochloride, yes.

6 Q. And when those packages came into your possession
7 at the lab, they were sealed, not tampered and properly
8 labeled?

9 A. Yes, sir.

10 Q. When you performed all your analyses on the drugs
11 in this case, were the drugs in the same condition when
12 you received them as when you analyzed them?

13 A. Yes, sir.

14 MR. PRETTYMAN: Your Honor, I would move
15 the admission of Government's exhibits 10-A, B and D for
16 this hearing.

17 MR. BENSON: No objection.

18 THE COURT: All right. They're admitted.

19 *** (Government's Exhibits No. 10-A, B and D were
20 received into evidence.)

21 MR. PRETTYMAN: Thank you, your Honor. I have
22 no further questions.

23 CROSS-EXAMINATION

24 BY MR. BENSON:

25 Q. Good morning, Doctor.

1 A. Good morning.

2 Q. How are you?

3 Doctor, a couple questions. Number one, you
4 cooked cocaine into crack personally?

5 A. No.

6 Q. You have never done that?

7 A. No.

8 Q. Do you know how it's done?

9 A. Yes.

10 Q. Do you know how difficult or how easy it is to
11 achieve it?

12 A. I don't -- I don't have any idea. I hear it's very
13 simple.

14 Q. You heard that?

15 As I understand it, one of the comments you
16 made on direct examination was that you can look at
17 cocaine powder and crack and many times differentiate
18 one from the other by the appearance, by the color?

19 A. No.

20 Q. No? You cannot?

21 A. I cannot because -- but if it is in the same lot,
22 in the same similar kind of bag, and they look similar,
23 we use a method. We take a certain portion of that and
24 do the analysis. If they all come as cocaine base, most
25 probably all of them are crack or cocaine base. But if

1 you ask me whether I can differentiate between two lumpy
2 substances, no, I cannot.

3 Q. Now, you've been doing this for, what, 24 years?

4 A. Yes.

5 Q. On a daily basis?

6 A. Almost on a daily basis.

7 Q. On a daily basis.

8 It's your testimony as an expert that you
9 cannot differentiate powder cocaine from crack cocaine
10 by looking at it?

11 A. By looking at it, no. I should not even try.

12 Q. Okay.

13 How about by touching it?

14 A. No.

15 Q. By feeling it?

16 A. No.

17 MR. BENSON: Your Honor, may I approach the
18 witness, please?

19 THE COURT: All right.

20 BY MR. BENSON:

21 Q. Now, as I understand it, Doctor, there was prior
22 expert testimony that indicated that crack cocaine
23 typically is a rock-like substance.

24 A. That's right, yes.

25 Q. Okay.

1 Now, I know this is going to sound
2 inconsistent, probably, but powder cocaine can also be
3 rock-like, can it not?

4 A. Yes. Sometimes they form, you know -- they bind
5 together and form a lump, or something like that.

6 Q. Right.

7 A. You get a solid.

8 Q. Now I'd like to show you Government's Exhibit No.
9 10-A.

10 MR. BENSON: If I may again approach?

11 THE COURT: All right.

12 BY MR. BENSON:

13 Q. Now, feeling that, Doctor (handing exhibit to the
14 witness) -- don't read that for a moment. I know you
15 know what it says.

16 A. Yes.

17 Q. But feeling that, can you tell us whether that's
18 powder or crack?

19 A. No.

20 Q. By feeling it?

21 A. No.

22 Q. All right.

23 Now, let me ask you, again, I'm going to show
24 you Government Exhibit 10-D and ask you to feel this
25 (handing exhibit to the witness).

1 A. No. By feeling, I cannot say what's the chemical
2 composition.

3 Q. Can you feel the significant difference between
4 those two packages?

5 A. Well, this is, of course, heavy (indicating).

6 Q. Well, forgetting the heaviness or the lightness,
7 as far as the texture, feeling the content of the
8 package?

9 A. No, I cannot.

10 Q. Can you tell the difference?

11 A. This looks like solid stuff. But in here, I don't
12 know.

13 Q. They are both powder, are they not?

14 A. I don't --

15 Q. Well, I mean, looking at the -- looking at the
16 Government --

17 A. It says white, chunky substance.

18 Q. Okay.

19 Well, 10-D, didn't you indicate that that was
20 powder cocaine? In your report? Didn't you just testify
21 to that?

22 A. No. I said cocaine. I never used powder cocaine.

23 Q. Well, is it crack cocaine?

24 A. It is cocaine base.

25 Q. What does that mean?

1 A. Crack -- I'm sorry. It is cocaine hydrochloride.

2 It's cocaine.

3 Q. So it's not crack cocaine?

4 A. It's not.

5 Q. Okay.

6 A. In my report, if you look at -- you see A, B and D,
7 which is Exhibit 10.

8 Q. Yes.

9 A. They're all cocaine.

10 Q. And cocaine, meaning -- I'm using the word powder
11 as opposed -- it's not crack cocaine?

12 A. No. It's called cocaine hydrochloride. Solid
13 cocaine.

14 Q. Solid cocaine. Not crack cocaine?

15 A. Right.

16 Q. Okay.

17 A. Yes, sir.

18 MR. BENSON: Your Honor, it may be a little
19 bit unusual, but what I'd like your Honor to do, if you
20 wouldn't mind, because this is going to be relevant
21 later on, if you would mind not just holding those two
22 bags and getting a feel for the testimony, because it
23 seems to be different from what the other expert just
24 testified. And it's going to be very relevant down the
25 road.

Dasgupta - cross

47

1 THE COURT: All right.

2 MR. BENSON: And I think it might help your
3 Honor in understanding where we're heading for purposes
4 of this evidentiary hearing.

5 THE COURT: All right.

6 MR. BENSON: Do you want me to give them to
7 you?

8 DEPUTY CLERK: Sure.

9 MR. BENSON: Okay.

10 DEPUTY CLERK: All of these?

11 MR. BENSON: Yes.

12 (The Clerk handed the exhibits to the Court.)

13 BY MR. BENSON:

14 Q. Now, again, for the Judge's benefit, Government
15 Exhibit 10-D, that is cocaine -- that's not crack
16 cocaine?

17 A. That's right.

18 Q. Okay.

19 And would you agree that that is in a very
20 solid form? Do you remember feeling that, in that
21 container?

22 A. Well, it says rock-like, yes.

23 Q. Rock-like. Rock-like. Chunky?

24 A. Chunky.

25 Q. Chunky, rock-like.

1 A. I don't remember. It has been months.

2 Q. I understand. But the container indicates what it
3 is?

4 A. Yes.

5 Q. Okay. Fine.

6 Did you feel the bag that the Government has
7 identified as being crack cocaine? That was the one that
8 was open.

9 A. Well, I did not feel it. I opened it.

10 Q. You opened it?

11 A. And looked at the material and did some test and
12 then I confirmed it.

13 Q. Did that seem as rock-like to you as the --

14 A. It's chunky.

15 Q. It's chunky.

16 So could you differentiate that chunkiness
17 from the exhibit, the Government Exhibit 10-D?

18 A. 10-D?

19 Q. That was the big chunk.

20 A. That was the big chunk. But, you know, it looked
21 different.

22 Q. Forgetting the looks --

23 A. Yes.

24 Q. -- the feel, could you feel the difference?

25 A. Now, when you are asking me feel, I don't

Dasgupta - cross

49

1 understand. I mean, opening it and then feel it?

2 Q. Well, not looking at it. You say that the drugs
3 are inside a closed, non-clear plastic bag and you're
4 feeling it. You are picking it up in your hand and
5 handing it to me.

6 A. Both to me seem solid.

7 Q. They both seem the same?

8 A. Yes.

9 Q. Yet one was powder, one was crack; is that right?

10 A. The first one was powder, yes.

11 Q. And one was crack?

12 A. Yes.

13 MR. BENSON: Thank you.

14 Nothing further, your Honor.

15 MR. PRETTYMAN: May I have a moment, please,
16 your Honor?

17 THE COURT: All right.

18 (Pause.)

19 MR. PRETTYMAN: Thank you, your Honor. I have
20 no further questions for Dr. Dasgupta.

21 THE COURT: All right. You may step down.

22 MR. PRETTYMAN: May he be excused, please,
23 your Honor?

24 THE COURT: Yes.

25 (Witness excused)

1

- - -

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. PRETTYMAN: Your Honor, I believe the Court is aware the Government's other witness will be flying in tonight and will be available tomorrow morning for the 9:00 o'clock part. Other than that, the Government would rest, with the understanding that the Government would be allowed to call that other witness, Detective Sullivan, tomorrow morning.

THE COURT: All right.

MR. BENSON: Well, your Honor, may -- I guess my question is, if that's the Government's entire case at this point, other than Detective Sullivan, there are no other police officers that are going to be testifying? I mean, if that's the case, then that's fine. I just want to know, because I understood that the Government was going to complete their case in chief, other than Detective Sullivan.

MR. PRETTYMAN: This is the completion of the Government's case in chief, with the exception of Detective Sullivan. Of course, depending on what happens in the defense case, we may or may not have rebuttal evidence that we would ask the Court to present.

MR. BENSON: Okay. Your Honor, two of my witnesses are incarcerated. I don't know if that creates a difficulty in getting them up here. But I

1 want to call Linette Crawford.

2 THE COURT: All right.

3 MR. BENSON: Please.

4 THE COURT: Could the Marshal make
5 arrangements for Linette Crawford to be brought to the
6 courtroom?

7 How long will it be before she'll be up?

8 DEPUTY MARSHAL: About five minutes.

9 THE COURT: Five minutes?

10 MR. BENSON: Do you want to take a brief
11 recess?

12 THE COURT: We'll take a five-minute break and
13 be back.

14 MR. BENSON: Sure. That's fine.

15 (Short recess taken.)

16 - - -

17

18

19

20

21

22

23

24

25

1

2

(Court resumed after the recess.)

3

4

THE COURT: All right. Ready to proceed?

5

6

MR. PRETTYMAN: Your Honor, I'm sorry to interrupt.

7

8

9

10

Your Honor, before we begin, I believe Mr. Benson and I, if we could talk to your Honor. Miss Crawford had requested to the Marshals that her attorney be present and he is not in the courtroom.

11

12

13

14

15

16

17

THE COURT: Who is her attorney?

MR. PRETTYMAN: Mr. Malik represents her, your Honor. When the case got rescheduled last time, I did notify both defense counsel that there was a rescheduling. Since I wasn't calling Miss Crawford as a witness, I made no arrangements to have Mr. Malik here.

18

19

MR. BENSON: I don't know that I'm obligated to have Mr. Malik here.

20

21

22

23

THE COURT: Well, am I?

MR. BENSON: No. I don't mean that. I mean I'm ready to go. She's been subpoenaed 12 times or whatever and we're ready to go.

24

25

THE COURT: Well, -- has anybody called him? Do you know where he is? Why don't I get my secretary to

1 place a call to Mr. Malik, to see where he is, and if you
2 want to -- Mr. Koyste is here. Does he represent the
3 other potential witness?

4 MR. BENSON: Yes.

5 THE COURT: Could we just trade witnesses?

6 MR. BENSON: Well, we can. It's a little
7 continuity problem, but other than that, there's not a
8 big deal. The way it shakes out is that the first
9 contact was with this young lady and then Miss Bullock
10 got into the picture thereafter.

11 But, yes, we can figure something out.

12 The other thing, Judge, if we're going to be
13 on a little recess, I've got an exhibit that I want to
14 use and I'm going to need Mr. Chambers to help me prepare
15 the exhibit. Basically, it has to do with some of the
16 testimony from the officers in either a 302 or something
17 about packaging. And I would like to be able to do that.

18 So if your Honor doesn't have a problem with
19 that, we can do it with the Marshals present.

20 I have everything I need, but I just need Mr.
21 Chambers.

22 THE COURT: You want to do it during the lunch
23 break or something like that?

24 MR. BENSON: Well, whenever. If we're waiting
25 for Mr. Malik, here's going to be here 10 or 15 minutes,

1 that's fine, or lunch break. I guess we need to do it in
2 the courtroom.

3 THE COURT: All right. That's fine.

4 So why don't you step down and we'll get the
5 Marshals to bring up -- who is the other witness?

6 MR. BENSON: Faye Bullock.

7 THE COURT: All right. We'll get the
8 Marshals --

9 MR. BENSON: We're going to try and reach Mr.
10 Bullock first?

11 THE COURT: My secretary is making the phone
12 call.

13 MR. BENSON: She's doing that?

14 THE COURT: She's listening.

15 (Pause.)

16 MR. BENSON: Your Honor, as it turns out, I
17 think we will need the exhibit for this witness that's
18 coming up. So that may be before the lunch break, I
19 guess. So if we could perhaps be allowed to do that
20 now...

21 THE COURT: All right.

22 MR. BENSON: It should only take about ten
23 minutes, I think, Judge, or less.

24 THE COURT: All right. I will be back in ten
25 minutes.

Bullock - direct

55

1 (Short recess taken.)

2 - - -

3 (Court resumed after the recess.)

4

5 THE COURT: We've called John Malik, but he's
6 in Superior Court.

7 All right. Ready to proceed.

8 - - -

9 DEFENDANT'S TESTIMONY

10

11 ... FAYE BULLOCK, having been duly
12 sworn as a witness, was examined and
13 testified as follows ...

14 DIRECT EXAMINATION

15 BY MR. BENSON:

16 Q. Your name is Faye Bullock?

17 A. Yes.

18 Q. And you're presently incarcerated; is that correct?

19 A. Yes.

20 Q. And where are you incarcerated?

21 A. WCI, Women's Prison.

22 Q. I can't hear you.

23 A. At WCI.

24 Q. How long have you been there?

25 A. Since February the 2nd.

1 Q. Now, you made an agreement with the Government, did
2 you not, to plead guilty to certain charges, and part of
3 that agreement was for your testimony against Mr.
4 Chambers sitting over here?

5 A. I don't remember. I don't think so.

6 Q. You don't think you made an agreement with the
7 Government to testify against Mr. Chambers?

8 A. They asked me to and I said I will.

9 Q. You said what?

10 A. I told them I will help. I will testify against
11 him.

12 Q. You would help the Government?

13 A. If that's what you want to call it.

14 Q. I'm asking you. Is that what you said?

15 A. Yes.

16 Q. That you would help the Government by testifying
17 against Mr. Chambers?

18 A. Yes.

19 Q. And what did the Government promise you, if
20 anything?

21 A. I have no promise.

22 Q. No promise?

23 A. No.

24 Q. They didn't talk to you about substantial
25 assistance and a departure from what your sentencing

Bullock - direct

57

1 guidelines call for?

2 A. Yes, but it's not a promise, because the Judge has
3 the last say-so.

4 Q. I'm sorry?

5 A. The Judge has the last word, so it's not a promise.

6 Q. It's not a promise from the Government or from the
7 Judge?

8 A. From the -- hold on. Can I talk to my client -- I
9 mean my lawyer for a second?

10 MR. BENSON: I don't know, to tell you the
11 truth. I don't think you can. I would say that --

12 THE COURT: Do you object to her talking to
13 her lawyer?

14 MR. PRETTYMAN: Mr. Koyste is present in the
15 courtroom, and I would ask if she has a question about it,
16 that she be allowed to speak to her attorney.

17 THE COURT: Why don't we let her talk to Mr.
18 Koyste, if she'd like to.

19 Why don't you come up, Mr. Koyste? You may
20 stand up here.

21 (Pause while the witness and Mr. Koyste
22 conferred.)

23 THE COURT: All right. Do you want to ask
24 the question again?

25 MR. BENSON: Yes.

1 BY MR. BENSON:

2 Q. Do you understand the question I asked you?

3 A. Yes.

4 Q. What was it?

5 A. You asked me did the Government promise me anything.

6 Q. And your answer was? Was not a promise?

7 A. The -- it wasn't a promise. The Judge has the last
8 say-so.

9 Q. Well, didn't the Government say that if you testify
10 and help them against Darryl Chambers, that they would
11 recommend a downward departure for your sentence?

12 A. If I tell the truth, then they'll motion one.

13 Q. Yes. So that's a promise. They promised you that,
14 didn't they?

15 A. Yes.

16 Q. And the more you help them against Mr. Chambers,
17 the more they're going to help you; isn't that correct?

18 A. Yes.

19 Q. Okay.

20 What's your educational background, Ms.
21 Bullock?

22 A. I went to the tenth grade.

23 Q. Did you complete the tenth grade?

24 A. No.

25 Q. So you went to the ninth grade?

Bullock - direct

59

1 A. Yes.

2 Q. All right.

3 And do you have any other education beyond
4 the ninth grade?

5 A. I went to the PLACE program, and right now I'm
6 taking my G.E.D. at WCI.

7 Q. Well, forgetting what you are doing now, I'm
8 talking about up through December 8th of '97?

9 A. I went to the PLACE program and got some education
10 from there.

11 Q. What education did you get there?

12 A. A brush-up of the G.E.D.

13 Q. Did you complete your G.E.D.?

14 A. No.

15 Q. Where were you living at the time that you were
16 arrested?

17 A. 2602 Bowers Street.

18 Q. And you were living there by yourself?

19 A. With my two kids.

20 Q. Two children? How old are they?

21 A. At the time, they was three and six.

22 Q. And how long had you been living there?

23 A. Since February the 14th, 1997.

24 Q. Ms. Bullock, how many ounces are in a pound? Do
25 you know?

Bullock - direct

60

1 A. No, I do not.

2 Q. You don't know how many ounces are in a pound?

3 A. No.

4 Q. Do you know how many grams are in an ounce?

5 A. No.

6 Q. When did you meet Mr. Chambers?

7 A. I knew of him for a couple years.

8 Q. Let me ask you the question again: When did you
9 meet him?

10 A. A couple years ago.

11 Q. Okay.

12 And what does that mean? '96, '95, 97?

13 What's a couple years ago to you?

14 A. Probably like '93.

15 Q. '93? So that's -- how many years ago was that?

16 This is 1998.

17 A. Five.

18 Q. Good.

19 All right.

20 So you met him in '93. At some point you and
21 he started to have a business relationship, did you not?

22 A. Yes.

23 Q. And that was in September of 1997?

24 A. Yes.

25 Q. And prior to September of 1997, you and he never had

Bullock - direct

61

1 a business relationship, did you?

2 A. No.

3 Q. All right.

4 And when did you meet in 1997, in September,
5 with Mr. Chambers, to start this business relationship?

6 Do you remember that?

7 A. Where did I meet?

8 Q. When did you meet? When?

9 A. I don't remember the date.

10 Q. Well, it was in September. You remember that?

11 A. Yes.

12 Q. How do you remember that? Did somebody tell you it
13 was September?

14 A. No, they didn't. It was football season for my son
15 and I was coming back from the game and that's how I
16 remember.

17 Q. There's football in October, isn't there?

18 A. Yes, but I know it was September.

19 Q. Well, how do you know it was September?

20 A. Because I do.

21 Q. Well, how? Why do you know it's September?

22 A. Because it's around when the kids first went back
23 to school.

24 Q. Okay.

25 When do your children go back to school?

- 1 A. I believe September.
- 2 Q. Well, September what?
- 3 A. Different days. I don't remember.
- 4 Q. Well, give me a date that they go back to school.
- 5 A. I cannot give you a date.
- 6 Q. Is it the 7th of September?
- 7 A. I don't know.
- 8 Q. You don't know when your children go back to
- 9 school, but you know it's in September?
- 10 A. Yes.
- 11 Q. What school do they go to?
- 12 A. My son went to Carey Downing.
- 13 Q. Do you have a daughter also?
- 14 A. Yes. She went to daycare.
- 15 Q. Daycare?
- 16 A. Yes.
- 17 Q. Did she go all year or just when school started?
- 18 A. All year.
- 19 Q. Your son, you say, played football?
- 20 A. Yes.
- 21 Q. And he plays on a team?
- 22 A. Yes.
- 23 Q. When does football season start?
- 24 A. Like August.
- 25 Q. Do you remember when in August?

1 A. No, I do not.

2 Q. Like the week before school? Two weeks?

3 A. I don't remember.

4 Q. And when is the first game that your son would
5 play in?

6 A. I don't remember.

7 Q. Do you know how many games he had played in at the
8 time you met Darryl?

9 A. No.

10 Q. Do you know how many games your son plays in
11 throughout the football season?

12 A. No.

13 Q. But you know he plays football?

14 A. Right.

15 Q. Do you know what position he plays?

16 A. No.

17 Q. How old is your son again? I'm sorry.

18 A. Right now he's seven.

19 Q. Well, how old was he December the 8th?

20 A. Six.

21 Q. What's his birth date?

22 A. 8/8/91.

23 Q. 8/8/91?

24 A. Yes.

25 Q. Okay.

1 So you think you met or you know you met
2 Darryl for business purposes in September of '97, but
3 you don't know when?

4 A. Right.

5 Q. Could it have been the latter part of September?
6 Is that possible?

7 A. It was still nice out. I do remember.

8 Q. It could be nice out around the 15th or 20th of
9 September, couldn't it?

10 A. It could.

11 Q. I mean, is it possible it could have been the 15th
12 or 20th of September?

13 A. I don't remember.

14 Q. Is it possible is the question, not whether it was
15 or that you remember.

16 A. Yes, it's possible.

17 Q. Do you know what -- excuse me for a minute.

18 (Pause.)

19 BY MR. BENSON:

20 Q. Do you know what Labor Day is?

21 A. Yes.

22 Q. Was it after Labor Day?

23 A. Yes.

24 Q. Okay.

25 Do you know how much after Labor Day?

Bullock - direct

65

1 A. No.

2 Q. Could it have been a couple weeks after Labor Day?

3 A. I really don't remember.

4 Q. You just don't remember? Okay.

5 In any event, you met Darryl because you were
6 a little bit short of cash; isn't that correct?

7 A. Yes.

8 Q. And you went up to him to try and borrow some
9 money from him?

10 A. I had asked somebody.

11 Q. I can't hear you.

12 A. I asked somebody to go ask him.

13 Q. Who was that that you asked?

14 A. Her name was Greta.

15 Q. I can't hear you.

16 A. Greta.

17 Q. Greta?

18 A. Yes.

19 Q. Did Greta go up to Darryl and ask if he would loan
20 you money?

21 A. Yes.

22 Q. Did he loan you money?

23 A. First he said no.

24 Q. First meaning the first time she asked? Did she
25 go back like some days later?

1 A. No.

2 Q. Did she ask again?

3 A. No.

4 Q. Who asked eventually so you were able to borrow
5 money from Darryl?

6 A. He came to me, it was like the next day. I was
7 taking my son to football and told him we need to talk
8 to him and that's when he told me he'll give it to me.

9 Q. Okay.

10 So he looked for you sometime in September,
11 could have been the middle, and said that would loan you
12 the money?

13 A. Yes.

14 Q. What happened next? He loaned you the money?

15 A. Yes.

16 Q. Then what?

17 A. That was it.

18 Q. That was it? Did you ever see him again after
19 that?

20 A. Yes.

21 Q. How long after?

22 A. That -- it was like the next day.

23 Q. The next day after that again?

24 A. Mm-hmm.

25 Q. And how did you see him?

Bullock - direct

67

1 A. He --

2 Q. Did he call you up on the phone or stopped over
3 the football game?

4 A. Right.

5 Q. So your son practices every day?

6 A. Yes.

7 Q. And you take him to practice?

8 A. Yes.

9 Q. So you saw him one day at practice. He agreed to
10 loan you this money. How much was it?

11 A. \$129.

12 Q. \$120?

13 A. \$29.

14 Q. \$129. Okay.

15 And he loaned you that. Then he left. Came
16 back the next day?

17 A. Yes.

18 Q. What happened then? When he came back?

19 A. Nothing.

20 Q. Did he watch your son play football? Why did he
21 come back the next day?

22 A. Oh, you want to know how -- he had asked me when
23 he gave me the \$129, can he use my back step, if that's
24 what you are trying to ask.

25 Q. I'm not trying to ask anything. I'm asking when

Bullock - direct

68

1 was the next time you saw Mr. Chambers?

2 A. The next day.

3 Q. What happened? Did you have a conversation with
4 him?

5 A. I don't remember if we did or didn't.

6 Q. I can't hear you.

7 A. I don't remember if I did or didn't.

8 Q. Do you remember ever having a conversation with Mr.
9 Chambers after he loaned you the \$129?

10 A. We probably did, but I don't remember.

11 Q. At some point after he loaned you \$129, you entered
12 into this relationship where he was going to be selling
13 drugs from your home; isn't that correct?

14 A. Yes.

15 Q. And how long after that that he loaned you the
16 money did that start to take place?

17 A. It might have been the next day. I'm not for sure.

18 Q. You're not for sure? Have you been thinking about
19 any of this or talking to the Government about it or any
20 of the police officers about your testimony? Nobody
21 came over to see you?

22 A. Not lately.

23 Q. How lately is not lately?

24 A. Last time I seen them was like in June.

25 Q. June?

Bullock - direct

69

1 A. Yes.

2 Q. And this is September?

3 A. Yes.

4 Q. Close to it. Tomorrow is September.

5 So you saw him two or three months ago?

6 A. Yes.

7 Q. And you haven't talked to anybody since then?

8 A. My lawyer came out, like, a week ago or two weeks
9 ago.

10 Q. Did you -- I'm sorry?

11 A. It was -- my lawyer came out a week ago or two
12 weeks ago and it was brief, and that was it.

13 Q. Okay.

14 Didn't discuss what your testimony might be?

15 A. We talked a little about it, but not much.

16 Q. Okay.

17 So nobody tried to refresh your memory about
18 all these incidences?

19 A. No.

20 Q. No?

21 A. Mm-hmm.

22 Q. So, in any event, sometime in September, Darryl
23 loaned you the money and then sometime thereafter he asked
24 you if he could start selling drugs from your house steps;
25 is that right?

1 A. Yes.

2 Q. And what did you say to that?

3 A. Yes.

4 Q. And how long after that did he start to do that?

5 A. I don't know.

6 Q. Well, would you say it was a week, ten days?

7 A. I don't remember. I don't think it was that long,
8 but I ain't for sure.

9 Q. Well, a week is seven days.

10 A. I know.

11 Q. Could it have been three days?

12 A. I don't remember.

13 Q. Now, he comes to the house the first time. And
14 this could have been towards the end of September? Is
15 that safe to say or no?

16 A. I don't remember, so... I remember it was nice out
17 when he came. That's all.

18 Q. I understand.

19 So it was some time in September, middle to
20 the late part of September; is that right? I mean, do
21 you agree that that is possible?

22 A. It's possible.

23 Q. Okay.

24 And he started selling drugs from your house
25 steps?

Bullock - direct

71

1 A. Yes.

2 Q. Did he come into the house?

3 A. Not at first.

4 Q. And, in fact, he wasn't allowed in your house, was
5 he?

6 A. I didn't say that.

7 Q. Well, you had an understanding with him, or at least
8 he at least did not go into your house for some period of
9 time; isn't that right?

10 A. He might use the phone or something.

11 Q. Well, he wasn't even using the phone for the first
12 number of weeks that he was selling at your house, was
13 he?

14 A. Yes, he was.

15 Q. Okay.

16 He'd use the phone?

17 A. Yes.

18 Q. If I suggest to you that it was at least three weeks
19 after he started selling drugs on your steps that you
20 allowed him in the house, does that seem possible to you?

21 A. It could be possible.

22 Q. Okay.

23 So now if he started -- if he saw you in the
24 middle of September and then within some number of days
25 thereafter he made an agreement with you to use your house

Bullock - direct

72

1 or the steps for drugs, and then for three weeks he was
2 outside of your house, two to three weeks, and you agree
3 that's all very possible, aren't we now into the beginning
4 of October, Ms. Bullock?

5 A. It's possible, yes.

6 Q. Well, I mean, are we or are we not? I am not trying
7 to put words into your mouth as you've indicated may have
8 been done in the 302 statement.

9 MR. PRETTYMAN: Objection, your Honor. That
10 was never said and there was no testimony on that.

11 THE COURT: Overruled.

12 BY MR. BENSON:

13 Q. Miss Bullock --

14 A. Yes?

15 Q. -- is it possible that it was in October?

16 A. I don't remember. It could have been September.
17 I'm not sure.

18 Q. Well, it's important, so we want to take a few
19 minutes and go through it again. You met him sometime
20 in September?

21 A. Yes.

22 Q. It was nice out. Could have been the middle of
23 September. Within a few days after that, he agrees, and
24 you agree with him, that he can start using your house,
25 or outside of your house, to sell drugs; is that right?

Bullock - direct

73

1 A. About.

2 Q. Okay?

3 So if it was the middle of September, now
4 it's towards the later part of the middle, and for about
5 three weeks he did not come into your house, did not
6 sell drugs in your house; isn't that correct?

7 A. I don't remember if he sold drugs about three
8 weeks.

9 Q. I'm not saying he didn't sell drugs.

10 A. I'm talking about before he came in my house, I'm
11 not for sure about that. He could have came before then.
12 I just don't remember. If it was before -- it could have
13 been before October he was in my house selling or I just
14 don't know that.

15 Q. You don't remember?

16 A. Right.

17 Q. So it's possible it could have been in October that
18 he started selling drugs? In your house?

19 A. It's possible, but I don't remember.

20 Q. You don't remember?

21 A. Right.

22 Q. Is that right?

23 A. Right. I don't remember.

24 Q. So if you told somebody, the police or some agency
25 or some authority, that he was selling drugs in your

Bullock - direct

74

1 house in September, that might not be correct; isn't
2 that right?

3 A. It was September. It was hot outside. I remember
4 it was in September. I don't know if it was the beginning
5 of September, the end of September. I know it was
6 September when he started selling the drugs.

7 Q. Outside of your house?

8 A. Yes.

9 Q. But he didn't come in your house for about three
10 weeks; isn't that right?

11 A. I don't remember if it was three weeks.

12 Q. Well, he was outside your house and then eventually
13 he asked if he could use a phone; right? Remember that?

14 A. Yes.

15 Q. You testified to that a little earlier. I can't
16 hear you.

17 A. I said yes.

18 Q. Okay.

19 And he would use the phone on occasion, but
20 he would not come into your house and sell drugs from
21 inside your house; isn't that correct?

22 A. Yes.

23 Q. I can't hear you.

24 A. Yes.

25 Q. Okay.

1 And then about three weeks after this, he
2 then wormed his way or got your permission to come into
3 your house; is that not correct?

4 A. You're saying three weeks. I don't know if it was
5 three weeks. I can't say approximately how much time
6 before he came in the house, because I don't remember
7 that. All I know, I know he was in there.

8 Q. Okay.

9 And it could have been in October?

10 A. And it could have been September, yes.

11 Q. No. I said it could have been October.

12 A. I don't remember.

13 Q. I understand you don't remember.

14 MR. PRETTYMAN: Your Honor, she said it could
15 have been, could have been October. I think she should
16 be allowed to finish that statement before Mr. Benson
17 asks the next question.

18 MR. BENSON: I apologize. I thought she had
19 finished it, your Honor. She certainly may be allowed to.

20 THE WITNESS: Now, what was the question?

21 BY MR. BENSON:

22 Q. Could it have been October that Darryl started --
23 it could not have been October?

24 A. I know it was September.

25 Q. That he started coming into your house? Not selling

Bullock - direct

76

1 drugs outside the house. We all know that he started
2 selling drugs outside the house in September. But we're
3 talking about selling drugs inside your house. Could
4 that have been October or late September?

5 A. It could have been late September, but I ain't
6 really sure about it.

7 Q. And if it could have been late September, it could
8 have been early October?

9 A. No.

10 Q. No? So it could only have been late September;
11 could not have been early October?

12 A. Right.

13 Q. Okay.

14 Now, Linette Crawford, you know who she is,
15 of course?

16 A. Mm-hmm.

17 Q. And in September, when Darryl started selling drugs
18 from your porch or from the steps, before he started
19 coming into your house, would you see Linette drop off
20 drugs to Darryl?

21 A. I don't remember. I don't know that.

22 Q. I can't hear you.

23 A. I said I don't remember that. No.

24 Q. The answer is no?

25 A. I don't remember if Nettie started then or when

Bullock - direct

77

1 she -- I know she brought them, but I don't remember if
2 it was in September or what.

3 Q. Well, the question --

4 A. And the first part, I don't think Nettie brought
5 it. I'm trying to think.

6 Q. I can't hear you.

7 A. I ain't say nothing.

8 Q. Oh. Are you done thinking?

9 A. Yes.

10 Q. Okay.

11 Do you remember Linette coming to your house
12 in September while Darryl was outside of the house? Did
13 you ever see her drop drugs off to him?

14 A. I don't remember. I don't think I saw it.

15 Q. Okay.

16 So you don't think you saw that?

17 A. No.

18 Q. All right.

19 Now, at some point -- strike that.

20 Do you know where Darryl was getting those
21 drugs that he was selling outside of your house?

22 A. Not at first --

23 Q. I can't hear you.

24 A. Not at first, I didn't.

25 Q. Do you know what drugs he was selling outside of

1 your house?

2 A. Yes.

3 Q. How do you know?

4 A. Because sometimes I'd be outside, too.

5 Q. You'd be outside with him?

6 A. Sometimes.

7 Q. Well, how often? Once, twice, ten times?

8 A. It was about ten. At first -- I used to always
9 sit outside.

10 Q. You used to always sit outside? Would you sit
11 out there 15 times, would you say? 20 times?

12 A. Mm-hmm.

13 Q. 20 times?

14 A. Mm-hmm.

15 Q. While he was outside?

16 A. Yes.

17 Q. So that means that for at least three weeks, he
18 was not in your house selling drugs, then; isn't that
19 correct? If you're sitting outside with him, and he's
20 selling drugs outside, then he's not selling drugs
21 inside; isn't that correct?

22 Do you understand the question?

23 A. No.

24 Q. You said, under oath, that you used to sit
25 outside because it was so beautiful.

1 A. Mm-hmm.

2 Q. It was nice September, October, whatever it might
3 have been. And that you would see Darryl out there and
4 you'd be sitting there. And I asked you: How many
5 times? 10 times, 15 times, 20 times? You said, yes,
6 it could have been 20 times.

7 Now, do you agree that there are seven days
8 in a week, three weeks equals 21 days? So that means
9 that you could have been sitting outside with Darryl for
10 about 21 days while he was selling drugs outside of your
11 house; is that correct?

12 A. Yes. Can I talk to my -- ask Chris another
13 question, please?

14 MR. BENSON: I don't know if you can. I
15 don't think you should be allowed to at this point.

16 Judge, I'm going to object to it, let me put
17 it that way.

18 THE COURT: All right. Why don't you go
19 without talking to him for now?

20 BY MR. BENSON:

21 Q. Do you understand the question?

22 A. Yes.

23 Q. Is that the answer?

24 A. Yes.

25 Q. What? What's the answer?

Bullock - direct

80

1 A. Yes. What you said was -- can you repeat --

2 Q. Yes. Basically what I'm saying is, and let me go
3 through it again, so you understand. I'm trying to take
4 my time and not trick you. I hope you believe that.

5 As I understand it, essentially, Darryl
6 started coming to your house sometime possibly around the
7 middle of September. That's when you made this deal with
8 him, allowing him to come to your porch to sell drugs;
9 isn't that correct?

10 A. Yes.

11 Q. That for about three weeks, maybe longer, maybe a
12 little less, he sold drugs outside of your house.
13 Linette Crawford, you never saw. She never dropped off
14 any drugs to Darryl during that period of time that he
15 was selling outside of your house.

16 A. I didn't say he never -- I never saw her do that,
17 because I be in the house, too, sometimes. I never
18 said I didn't see -- I mean I never saw her do it, but
19 she could have, but -- and I just wasn't there.

20 Q. The question is: Did you ever see her do it?

21 A. Right. No.

22 Q. Yes or no?

23 A. No.

24 Q. Yes or no?

25 A. No.

Bullock - direct

81

1 Q. Okay.

2 So you never saw her drop drugs off to Darryl
3 during this time that he was outside of the house,
4 selling; is that right?

5 A. Right.

6 Q. And that you agree that, for about three weeks after
7 he started selling drugs, maybe longer, you sat outside on
8 a regular basis?

9 A. Right.

10 Q. For a couple minutes every night or whatever and he
11 was outside. He was not inside your house, selling drugs?

12 A. Right.

13 Q. Now, that puts it into probably October, doesn't
14 it?

15 A. Yes.

16 Q. I can't hear you.

17 A. Yes.

18 Q. Yes? Okay.

19 Now, you also indicated that you knew the type
20 of drugs he was selling.

21 A. Yes.

22 Q. How did you know?

23 A. I saw them.

24 Q. What did you see?

25 A. I saw the baggie full of the white -- the powder,

Bullock - direct

82

1 which is cocaine.

2 Q. All right.

3 A. And I saw the little bags of crack.

4 Q. You saw the little bags of crack.

5 Now, did you feel the bags?

6 A. No.

7 Q. And how did you see them? I mean, were they laid
8 out like in a display counter on your porch, come and
9 pick which ones you want?

10 A. Sometimes when he sell them, I see them.

11 Q. Explain it to me so I can understand and the Judge
12 can understand.

13 Would he keep them outside?

14 A. No. He'd keep them tucked in the top of the --
15 it's like a roof outside my house.

16 Q. Right.

17 A. And he'd keep them tucked in there.

18 Q. Somebody would come up and he'd say, You want one
19 from column A or one from column B? Crack or powder?
20 Is that how it went?

21 A. They'd tell him what they'd want.

22 Q. They'd tell him what they wanted and then he'd go
23 up into this thing and pull it?

24 A. Right.

25 Q. Right.

Bullock - direct

83

1 Now, let me ask you this: Do you remember
2 testifying somewhere in here (indicating) that you did
3 not stay around when Darryl was selling drugs?

4 A. No, I don't remember saying that.

5 Q. You don't ever remember saying that?

6 A. No, I do not.

7 Q. Well, I will get that later.

8 So, in any event, at some point, I guess when
9 the weather turned a little sour, you allowed Darryl to
10 come into the house?

11 A. He just came.

12 Q. Started selling from inside the house?

13 A. He'll have his stuff inside the house and he'll
14 sell outside the house.

15 Q. Okay.

16 So he kept the stuff inside the house. And
17 when did that start? Possibly October?

18 A. I don't remember exact dates.

19 Q. Now, when was the first time that you can remember
20 that Linette Crawford brought drugs to your house?

21 A. I don't know the date.

22 Q. Well, how long after Darryl started selling drugs
23 from inside the house?

24 A. I don't -- all I know is I saw Nettie -- we was at
25 football.

Bullock - direct

84

1 Q. I can't hear you.

2 A. I said he was at football and she brought the bag
3 over. I don't know, like, the date or whatever. I mean --

4 Q. One time she brought a bag over?

5 A. No. Each week it would be like four to five times
6 a week.

7 Q. Four to five times a week?

8 A. Yes.

9 Q. Well, when did it start, my question is?

10 A. I don't remember exactly the date.

11 Q. Well, how long before you were arrested did it
12 start? A month?

13 A. No.

14 Q. Two months?

15 A. I'm not for sure. I think it was September, but
16 I'm not sure about that.

17 Q. I know. This September thing is in your mind. I
18 understand. I'm saying September to October to November
19 to December. That's three months. Could it have been
20 three months or two months?

21 A. It could have been three months.

22 Q. Could it have been two months?

23 A. It could have been three months.

24 Q. I say it could have been two months?

25 A. No.

Bullock - direct

85

1 Q. It was longer than two months?

2 A. Yes.

3 Q. And she would come how many times a week?

4 A. Three to four times.

5 Q. Three to four times?

6 A. I mean four to five times.

7 Q. Four to five times?

8 A. Yes.

9 Q. And what specific days would she come?

10 A. Different days. Whenever we told her.

11 Q. Okay.

12 Now, let me ask you this question: When she
13 came to the house, would she deal with you or with
14 Darryl?

15 A. If he wasn't there, then she'll deal with me.

16 Q. And how did that transaction take place? Would
17 you explain it to me?

18 A. She just said, Hold this for Wolfie, and I would
19 just take it.

20 Q. What is this?

21 A. A book bag.

22 Q. A book bag? It's a gym bag kind of thing?

23 A. It's a backpack.

24 Q. Backpack? Okay.

25 Would it be open?

Bullock - direct

86

1 A. No.

2 Q. So it would be closed?

3 A. Yes.

4 Q. Zipped?

5 A. Yes.

6 Q. Not locked?

7 A. No.

8 Q. What would you do with the book bag?

9 A. Take it and put it in the cabinet.

10 Q. Would you look inside?

11 A. Sometimes.

12 Q. Well, how often would you look inside?

13 A. I can't say.

14 Q. Well, guess.

15 A. Every now and then.

16 Q. What's now and then mean? She dropped off a book
17 bag three days a week, three nights a week. Would you
18 look in once, twice, every night?

19 MR. PRETTYMAN: Objection, your Honor. She
20 already testified that it wasn't three times a week.
21 She said it was four to five times a week and Mr. Benson
22 in the question puts in three times a week.

23 THE COURT: Overruled.

24 BY MR. BENSON:

25 Q. Do you understand the question? How often would

1 you look in the book bag?

2 A. I don't know. Two times, three. I don't know
3 for sure.

4 Q. And would you take anything out of the book bag?

5 A. No.

6 Q. No? Why would you look in?

7 A. Just to see what was in there.

8 Q. Well, after you looked in once, did you have any
9 question in your mind what was in there the second time
10 or the third time or the fifth time or the eighth time?

11 A. I just looked in there.

12 Q. Well, why?

13 A. I'm a nosey person. I just wanted to see what was
14 in there.

15 Q. Okay.

16 So you'd look in there every once in a
17 while. Some days you weren't nosey?

18 A. Some days I might be busy doing other things,
19 where I just threw it there and kept doing what I was
20 doing.

21 Q. Okay.

22 And what would you see inside the book bag?

23 A. It would be a whole bunch of things wrapped up in
24 tape.

25 Q. A whole bunch of things wrapped up in tape?

Bullock - direct

88

1 A. Sometimes. It would be different. It depended on
2 the day. Sometimes it might be more wrapped up in tape,
3 like a plastic bag.

4 Q. I'm not sure I understand. What color tape?

5 A. Gray masking tape.

6 Q. And how big a thing would it be?

7 A. Different shapes.

8 Q. Would it be shaped as a peanut?

9 A. It might.

10 Q. Well, I'm asking you.

11 A. Yes.

12 Q. Yes or no?

13 A. Yes.

14 Q. How about a watermelon?

15 A. No.

16 Q. How about a cantalope?

17 A. No.

18 Q. A peanut, though?

19 A. Yes.

20 Q. Right?

21 A. Yes.

22 Q. Did you ever weigh it?

23 A. No.

24 Q. Now, when Darryl got there, what would you do?

25 Give him the bag?

Bullock - direct

89

1 A. Yes.

2 Q. And what would he do then?

3 A. It depends. If he was getting ready to sell
4 something right then and there, or if he was doing
5 something, he'd lay it there and come back to it
6 later.

7 Q. Now, he would sell drugs out of your house; is
8 that right?

9 A. No. The drugs would be in my house. He always
10 sold outside.

11 Q. That's what I meant. I'm sorry. I misspoke.

12 And what were his business hours?

13 A. Usually when it's dark.

14 Q. Well, what time would that be?

15 A. Sometimes it might be -- he usually would come back,
16 I guess -- I'm not for sure. I know it was always dark
17 outside.

18 Q. Well, let me ask you this: When he started coming
19 into your house, was it light outside or dark outside?

20 A. Dark.

21 Q. So it was dark when he started coming into your
22 house?

23 Do you know when the time changes?

24 A. Mm-hmm.

25 Q. When is that?

Bullock - direct

90

- 1 A. It's October.
- 2 Q. Was it after the time change that he started
- 3 coming into your house or before?
- 4 A. I know it was before that.
- 5 Q. How long before? A couple days, a week?
- 6 A. Weeks.
- 7 Q. A week?
- 8 A. Weeks.
- 9 Q. Weeks? Was it dark? You say it was dark out when
- 10 he sold?
- 11 A. Right.
- 12 Q. So what time would that be, about?
- 13 A. I don't --
- 14 Q. Don't remember?
- 15 A. No.
- 16 Q. And would he -- how long would he sell drugs?
- 17 A. Different times.
- 18 Q. Well, give me a for instance.
- 19 A. I'd be asleep usually when he's ready to leave.
- 20 Q. Well, would you be down there when he's selling
- 21 drugs?
- 22 A. Some days. Some days not.
- 23 Q. So you would be present some days when he sold
- 24 drugs?
- 25 A. Right.

Bullock - direct

91

1 Q. You were never not there; is that right?

2 A. Yes. Sometimes I wasn't there.

3 Q. But I mean you didn't make it a point to not be
4 there when he was dealing drugs?

5 A. Some days I wasn't there; some days I was there.

6 Q. It wasn't a big deal one way or the other?

7 A. Right.

8 Q. Now, the drugs that he didn't sell -- Linette drops
9 off a bag, the book bag. There's drugs inside; right?

10 A. Mm-hmm.

11 Q. Darryl opens up shop, sells drugs out of it; right?
12 Now, he closes shop. What happens to the drugs? Does
13 he keep them at your house overnight?

14 A. No.

15 Q. Never?

16 A. I can't say never. A couple times, he did.

17 Q. A couple times only. I can't hear you.

18 A. I think it was a couple times. It was a couple
19 times he would leave them at my house, but he would take
20 them always to Nettie's.

21 Q. So then he would take them back to Nettie's?

22 A. Yes.

23 Q. Okay.

24 And then she would return the next night with
25 the drugs?

1 A. Yes.

2 Q. So when you say that Nettie is bringing drugs every
3 day to your house for Darryl to sell, isn't that what you
4 are saying?

5 A. I didn't say every day.

6 Q. Well, how often did you say?

7 A. I said four to five times.

8 Q. Four to five times?

9 A. Yes.

10 Q. Many times it's the same drugs she's bringing back,
11 isn't it?

12 A. I don't know. I didn't watch him sell them. Some
13 days I did, some days I didn't. I might look in the book
14 bag, and it would be something in there. I didn't like
15 pick them up and see how much was in there or whatever.

16 Q. You never felt it or anything?

17 A. Right. No.

18 Q. So by the feel, you couldn't tell what it was?

19 A. Right.

20 Q. And were they ever in clear plastic that you could
21 see what they were?

22 A. Not when she brought them to us.

23 Q. So you could never tell what drugs that were in
24 that bag?

25 A. Right.

1 Q. You knew they were drugs?

2 A. Yes.

3 Q. How did you know?

4 A. I seen sometimes him wrap them up.

5 Q. When he was taking them back --

6 A. Yes.

7 Q. -- to Nettie?

8 A. Yes.

9 Q. So they were always wrapped up and not able to be
10 viewed, but you would see them occasionally when he
11 rewrapped them or unwrapped them?

12 A. Right.

13 Q. But not every night did he sell all the drugs, did
14 he?

15 A. I don't know.

16 Q. Well, you said that most times he would rewrap the
17 drugs.

18 A. Right.

19 Q. Let me finish the question: That he would rewrap
20 the drugs and take them back to Nettie; is that right?

21 A. Right. Some of them.

22 Q. Well, what do you mean, some of them?

23 A. He might sell some. I don't know. I wasn't there.
24 Some days I might be there, but I can't tell you,
25 because I'm not a drug dealer, how much he sold and what

1 he didn't sell.

2 Q. I understand.

3 A. All I know is what I saw.

4 Q. I'm not asking you the amount he sold.

5 A. No.

6 Q. The questions are very simple. He had drugs?

7 A. Right.

8 Q. Nettie brought them to the house, your house?

9 A. Right.

10 Q. You didn't see what kind of drugs they were. You
11 couldn't tell what it was. You never picked them up,
12 really, did you?

13 A. No.

14 Q. Never picked them up. You just looked in the bag?

15 A. Mm-hmm.

16 Q. When Darryl got there, he would open up business,
17 sell some drugs, whatever it might have been. When he
18 was done, he would rewrap them. On maybe a couple
19 occasions, at most, he would leave them at your house.
20 Is this right so far?

21 A. Yes.

22 Q. For all the other times, whatever the number of
23 months it might have been, he would return the drugs to
24 Nettie's house.

25 Would she ever come back to your house and

1 pick them up or would he drop them off?

2 A. He'd drop them off.

3 Q. He'd drop them off at Nettie's house. Then one of
4 these nights or four or five nights, she would return
5 drugs to your house?

6 A. Mm-hmm.

7 Q. So on many occasions it was the same drugs plus
8 maybe some additional drugs; isn't that right?

9 A. It could have been.

10 Q. Now, the night that you were arrested, do you
11 remember that night?

12 A. Yes.

13 Q. The amount of drugs that were confiscated, was
14 that typical of the amount of drugs that Darryl had at
15 your house?

16 A. I don't know. I didn't never see the drugs.

17 Q. You didn't look at them that night?

18 A. No.

19 Q. How about the night before?

20 A. It was a Sunday.

21 Q. What does that mean, a Sunday?

22 A. He don't come out on Sundays.

23 Q. Never comes out on Sunday?

24 A. No.

25 Q. So he never deals drugs on Sunday?

Bullock - direct

96

1 A. Right.

2 Q. Ever?

3 A. Not since he been at my house.

4 Q. That's what I mean.

5 And that is positive; right?

6 A. That's right.

7 Q. Okay.

8 Now, you testified, or -- I'm sorry. I
9 withdraw that.

10 You made a statement on December the 11th to
11 an FBI agent, I guess, where you indicated -- and let me
12 quote from the 302 statement, which is -- basically, it's
13 what you told the agents; okay?

14 "Bullock states that Darryl Chambers
15 was moving two pounds of crack cocaine and
16 two pounds of powder cocaine on a weekly
17 basis through her house since September of
18 '97."

19 Do you know what two pounds of cocaine is?
20 Do you know how much that is?

21 A. It looks like a sugar box, a one-pound sugar box.

22 Q. Who told you that?

23 A. I had a sugar box and he asked me --

24 Q. Who's he?

25 A. Mr. Cobb, right there.

Bullock - direct

97

1 Q. Yes?

2 A. He would ask me, how did it look, and trying to
3 figure out the shape. And I said like the sugar box. I
4 saw the sugar box before -- before he breaks it down to
5 put it into the sandwich bags.

6 Q. So it was a sugar box you're saying?

7 A. Yes.

8 Q. And so as I understand it, it was this size
9 (indicating)? It was this size? This is a photocopy of
10 the sugar box that they were talking about.

11 MR. PRETTYMAN: Your Honor, we're about 20
12 feet away. Could he at least go up to the witness?

13 MR. BENSON: She's saying yes, so obviously
14 she could see it.

15 THE WITNESS: Let me -- can I --

16 BY MR. BENSON:

17 Q. Now you can't see it any more?

18 A. I could see it from there, but...

19 Q. Can you see it from there, or do you want me to
20 come closer? I can't hear you.

21 A. You can come closer.

22 MR. BENSON: Your Honor, may I?

23 THE COURT: Yes.

24 (Exhibit handed to the witness.)

25 THE WITNESS: Yes, that is the box.

1 BY MR. BENSON:

2 Q. That's the box? Was this the box that was in your
3 house?

4 A. I don't remember.

5 Q. I can't hear you.

6 A. I don't think so.

7 Q. Well, where did the box come from? I mean, do
8 you think Agent Cobb or --

9 A. I had a box in my house, but that's not the box
10 of sugar.

11 Q. Well, do you think he carries them around with
12 him?

13 A. No.

14 Q. So you can figure out what the quantity is?

15 A. No.

16 Q. Where did it come from?

17 A. He was asking me. He saw the sugar box in my
18 cabinet.

19 Q. A little sugar box?

20 A. A one-pound sugar box in my cabinet. He was trying
21 to determine the size of drugs, so that's why we used
22 sugar box.

23 Q. Was it wrapped like a sugar box, square? The drugs
24 I'm talking about.

25 A. I saw -- it was like a -- that's the size of it and

Bullock - direct

99

1 it was all white.

2 Q. I'm sorry. Say that again. I didn't understand
3 you.

4 A. The size was like the sugar box, but it was all
5 white.

6 Q. Did you ever see any drugs or anything wrapped in
7 that book bag looking something like this (indicating)?

8 A. Yes.

9 Q. Is this the size that you are talking about?

10 A. What? About the sugar box?

11 Q. About the drugs.

12 A. They be different sizes.

13 Q. They'd be all different sizes?

14 A. Mm-hmm.

15 Q. They'd be bigger than this or smaller than this?

16 A. Smaller, too.

17 Q. Is this the biggest one that you saw?

18 MR. BENSON: Your Honor, may I approach the
19 witness with this?

20 THE COURT: All right.

21 MR. BENSON: I guess I need to have it marked
22 as Defense-something, 1.

23 THE COURT: All right. It will be marked
24 Defense Exhibit No. 1.

25 MR. BENSON: Please, your Honor, if I may...

1 *** (Defendant's Exhibit No. 1 was marked for
2 identification.)

3 BY MR. BENSON:

4 Q. Is that the size that we're talking about, Ms.
5 Bullock?

6 MR. BENSON: May I approach the witness,
7 your Honor?

8 THE COURT: All right.

9 MR. BENSON: Thank you.

10 (Mr. Benson handed the exhibit to the witness.)

11 THE WITNESS: You can pick it up.

12 BY MR. BENSON:

13 Q. I didn't hear you.

14 A. Can you restate?

15 Q. I said, is this what you are talking about, the size
16 of the drugs that were in the book bag?

17 A. Yes.

18 Q. I'm sorry. Not the book bag. The backpack?

19 A. Yes.

20 Q. This is it?

21 A. They be different sizes.

22 Q. This is the biggest?

23 A. Probably, yes.

24 Q. Okay.

25 They'd be all smaller than this or this size?

1 A. Yes.

2 Q. Is that right or wrong?

3 A. It could have been a little bigger. I'm not for
4 sure about the sizes and all that.

5 Q. Now you are not for sure about the sizes?

6 A. I know they was different sizes wrapped up, just
7 like that.

8 Q. I understand. Was this the biggest size, is my
9 question to you?

10 A. Yes.

11 Q. You're sure of that?

12 A. Yes.

13 Q. You're positive of that? There's no doubt in your
14 mind about that?

15 A. Right.

16 Q. Okay.

17 Now, when officer -- when Officer Cobb
18 suggested to you the size of the sugar box, you're
19 thinking of this size and you're saying that's a sugar
20 box?

21 A. He was asking me to -- the amount that I saw before,
22 that I saw him with, like the most that I saw him with.
23 And I remember seeing him with like the sugar -- the
24 sugar boxes, before he break it down, to make it like
25 you have it.

1 Q. Okay.

2 So you're saying that he would do that and
3 then he would use a one-pound. And then how many of
4 those would he make? Four? Eight?

5 A. Different size. He'll weigh them.

6 Q. Yes?

7 A. He might cook some up and he might weigh it and
8 like put it in different bags, different amounts, so I
9 couldn't tell you that.

10 Q. All right.

11 So now let's go back to this statement that
12 you gave. Let's -- you're saying that you told the
13 agent that he was moving. And what do you mean by
14 moving? What does moving mean to you? Moving two
15 pounds of crack cocaine and two pounds of powder cocaine.
16 What does that mean?

17 A. Selling.

18 Q. He was selling?

19 Now, when you say selling, he was getting
20 money for that or he was having that available to be sold
21 and what wasn't sold would go back to Linette? Do you
22 understand?

23 Well, you're telling me that he would sell
24 drugs from your house. Well, he would be in the house
25 and the drugs would be outside or whatever. And that

1 every night, he would not sell out, and that he would
2 rewrap it and take it, put it in the bag and take it
3 back to Linette's house; isn't that correct?

4 A. I didn't say every night he wouldn't sell out.
5 Most of the nights when he's getting ready to close, I
6 wouldn't be out there. A couple times I might have
7 stayed all night with him, like stayed up and saw it,
8 so I couldn't say every night.

9 Q. So the nights that you are aware of -- let me
10 rephrase that. I'm sorry.

11 You are not aware of any night that he sold
12 out, as you put it, sold all the drugs that he had. He
13 always wrapped them up that you were there? Any time
14 you were ever there, you saw him rewrap drugs. Most of
15 the time, 90 percent of the time, he would take it back
16 to Linette, as far as you knew. Occasionally, very
17 rarely, he would leave it at your house. Is that right
18 or wrong?

19 A. It's right.

20 Q. Is that right?

21 A. Yes.

22 Q. Okay.

23 Now, your testimony, I guess, or your
24 statement to the police, is that since September -- and
25 I guess what you mean is since he was allowed in your

1 house, whenever that might have been -- you say since
2 September he was dealing two pounds of crack and two
3 pounds of powder a week; right?

4 A. Yes.

5 Q. Do you know how many pounds are equal to a key?
6 You don't know?

7 A. (The witness shakes her head in the negative.)

8 Q. Now, that was the drugs he was dealing with from
9 September at some point, October, November. So that's
10 two months. And then he got arrested December the 8th.
11 So you are talking about perhaps nine weeks, maybe ten
12 weeks? Do you agree with that?

13 A. For -- in November for two weeks he didn't sell
14 drugs.

15 Q. Oh, for two weeks in November he didn't sell
16 drugs?

17 A. Right.

18 Q. Where was he? On vacation?

19 A. He had got shot.

20 Q. Oh, he got shot? So he was laid up?

21 A. Right.

22 Q. Disability?

23 So then instead of ten weeks, we're talking
24 eight weeks? Did you ever tell the police that, that
25 there were two weeks in November that he didn't sell

1 drugs?

2 A. Yes, I did.

3 Q. Because I didn't see that in any of their reports

4 where --

5 A. I did tell him that.

6 Q. I'm sorry?

7 A. I did tell him that.

8 Q. So from the end of September, all of October,

9 November and one week in December, so that's, we'll say,
10 about ten weeks, of which two he didn't sell any drugs.

11 So eight weeks he was selling drugs? And according to
12 your testimony, it would have been about four pounds;
13 right?

14 A. Yes.

15 Q. Okay.

16 Now --

17 MR. PRETTYMAN: Excuse me, your Honor. I
18 think she said four pounds per week.

19 THE WITNESS: Right.

20 MR. BENSON: That's what I just said, I
21 thought.

22 BY MR. BENSON:

23 Q. Two pounds of crack and two pounds of powder a week
24 for eight weeks.

25 A. Yes.

1 Q. Is what I meant to say.

2 MR. BENSON: If I didn't say that, Judge, I
3 apologize.

4 BY MR. BENSON:

5 Q. And I asked: Do you know how many pounds are equal
6 to a kilogram?

7 A. No.

8 Q. So you are saying that he was selling four pounds
9 for eight weeks, which is 32 pounds, which would be equal
10 to about eight keys? Maybe actually less. Seven keys,
11 total.

12 MR. PRETTYMAN: Your Honor, I think that
13 math is wrong.

14 MR. BENSON: It is wrong?

15 MR. PRETTYMAN: Well, 32 pounds divided by
16 2.2 pounds, which is 2.2 pounds in a kilo, I don't think
17 equals seven.

18 MR. BENSON: All right. That's true.

19 BY MR. BENSON:

20 Q. 2.2 into 32 equals about 15 or 14 keys. Do you
21 agree with that?

22 A. Can you -- I don't know.

23 Q. Well, you said that, in your statement, you said
24 that Darryl dealt approximately ten pounds each of crack
25 cocaine and powder cocaine. Ten pounds each.

1 MR. PRETTYMAN: Your Honor, again, I don't
2 think that's an accurate depiction of what she said in
3 the statement.

4 MR. BENSON: It is not? Let me read her
5 statement, I guess, and I will try to make it accurate.
6 Since September of '97, Bullock estimates that Chambers
7 has dealt approximately ten pounds each of crack cocaine
8 and powder cocaine. That's 20 pounds.

9 BY MR. BENSON:

10 Q. Now, did you say that to the agent on December the
11 11th of 1997, three days after you were arrested?

12 A. Yes.

13 Q. Okay.

14 Now, is that accurate, to the best of your
15 knowledge?

16 A. Yes.

17 THE COURT: We're going to need to take a
18 break sometime in here for lunch.

19 MR. BENSON: For lunch? Well, it doesn't
20 matter. I mean, this is going to go on.

21 THE COURT: Now?

22 MR. BENSON: Do you want to take it now?

23 THE COURT: We'll take a one-hour break.

24 John Malik is on his way over, and so if you
25 want to interrupt this witness --

1 MR. BENSON: No. I might as well finish with
2 her. I guess they won't have an opportunity to
3 communicate, will they, she with Linette? I mean,
4 presumably, they'll be separated downstairs, I hope, or
5 can we arrange for that?

6 Well, I mean, that's a problem for me,
7 obviously. I don't want them communicating about this,
8 especially when we're in the middle of all of this.

9 THE COURT: All right. I think the best I
10 can do the direct the witness not to speak to anyone
11 about her testimony until she comes back after the
12 break. And then when she returns, you can ask her if
13 she has spoken with anybody. Otherwise, I don't think
14 physically they can put them in separate locations so
15 they can't talk.

16 MR. BENSON: All right.

17 THE COURT: All right? We'll be back in an
18 hour.

19 (Luncheon recess taken.)

20 - - -

21

22

23

24

25

1

2

AFTERNOON SESSION

3

4

(Proceedings resumed at 2:00 p.m.)

5

6

THE COURT: All right. Ready to proceed.

7

- - -

8

DEFENDANT'S TESTIMONY

9

CONTINUED

10

11

... FAYE BULLOCK, having been

12

previously duly sworn as a witness,

13

was resumed and testified further as

14

follows...

15

DIRECT EXAMINATION

16

CONTINUED

17

BY MR. BENSON:

18

Q. Ms. Bullock, do you remember where we were when we

19

took the luncheon break? Basically, we were talking

20

about your relationship with Darryl, et cetera, and the

21

drugs?

22

A. Yes.

23

Q. Okay.

24

I just want to clarify in my mind, I was

25

thinking about it over the break, the idea of the

1 quantity of the drugs, that basically came from a
2 discussion that you had with Agent Cobb; isn't that
3 correct?

4 A. Yes.

5 Q. All right.

6 Did he ask you the amount of drugs that
7 Darryl was selling from your house?

8 A. He asked me -- yes.

9 Q. Now, speak up now. You've got to stand near that
10 microphone or whatever.

11 What did he ask you?

12 A. About how much was it.

13 Q. And you didn't know, did you?

14 A. Yes, I did.

15 Q. Oh, you did know?

16 A. And I told him four one-pound sugar boxes.

17 Q. Well, I thought your testimony before was that
18 he's the one that suggested, according to the Grand Jury
19 testimony, Agent Cobb helped you with the quantities by
20 giving you the idea of the one-pound sugar box; isn't
21 that correct?

22 A. Yes.

23 Q. I mean, that was his idea about the one-pound
24 sugar box?

25 A. He was looking around to see something and he said,

1 Did it look like the Domino sugar box, which was one
2 pound in the house, and I said yes.

3 Q. Okay. It looked like that?

4 A. Yes.

5 Q. It could have been less?

6 A. It was the size of the one-pound sugar box.

7 Q. But that was the size --

8 A. About, around.

9 Q. About that?

10 A. Yes.

11 Q. So 16 ounces is a pound. Do you know that?

12 A. No. I don't know.

13 Q. You don't know that. And I think you said there
14 were about four of those Domino sugar boxes a week?

15 A. Yes.

16 Q. So that would mean it would be four pounds?

17 A. Yes.

18 Q. And that could be less -- more or less?

19 A. Yes.

20 Q. Right?

21 A. Yes.

22 Q. Okay.

23 And there's 2.2 pounds in one key; is that
24 right?

25 A. I don't know.

1 Q. Well, let me suggest to you that that is -- there's
2 2.2 pounds are equal to a key. All right?

3 A. Okay.

4 Q. So what you are saying is that if there are four
5 Domino sugar boxes a week, that would be equal to two
6 keys or a little less than two weeks; isn't that right?

7 A week?

8 A. Can you restate that?

9 Q. You told Agent Cobb, in reference to his question
10 to you about the amount of drugs that Darryl was having
11 in the house --

12 A. Mm-hmm.

13 Q. -- that it was about four of those Domino sugar
14 boxes; right?

15 A. Yes.

16 Q. The Domino sugar boxes are one pound?

17 A. Yes.

18 Q. Right? And you said it could have been a little
19 bit more, a little less. It's approximate; is that
20 right?

21 A. Yes.

22 Q. And I'm saying to you that if 2.2 pounds equals
23 one key, then four pounds would be a little less than
24 two -- a little less than two keys of drugs? Take my
25 word for it; okay?

1 MR. PRETTYMAN: Your Honor, I don't think
2 we're in a position where he can take his word.
3 Obviously, she can't do the math. She's having trouble
4 with doing the math. She said it as best she could in
5 terms of the sugar boxes and the pounds. If 2.2 pounds
6 is a kilogram, that's something I think the Court could
7 take judicial notice on and we can move on.

8 MR. BENSON: Judge, the whole basis for this
9 hearing that we're going to probably spend more than two
10 days on, it looks the way it's proceeding, is quantity.
11 That's the key.

12 THE COURT: That's okay. You can keep asking
13 questions.

14 MR. BENSON: Thank you, Judge.

15 BY MR. BENSON:

16 Q. Do you understand, Miss Bullock? Do you understand
17 the question? 2.2 pounds is equal to one key. You told
18 Officer Cobb, based on his using a sugar box, that there
19 were four of those about a week?

20 A. Yes.

21 Q. Right?

22 Now, that's equal to a little less than two
23 keys. If 2.2 pounds is one key, 4.4 pounds would be
24 two keys. So you're talking about four pounds, which
25 is less than two keys? Do you follow that?

1 A. Mm-hmm.

2 Q. Do you? Do you really follow it or not? If you
3 don't follow it, tell me.

4 A. I get what you say.

5 Q. Okay.

6 And this basically is coming from Agent
7 Cobb; right? This -- the sugar box business?

8 A. That's what we used to determine the size.

9 Q. By the size; right?

10 A. Mm-hmm.

11 Q. Did you pick up the sugar box? Did you hold it in
12 your hand as being a pound?

13 A. No.

14 Q. No.

15 So it might have been that size, but you
16 don't know the weight, do you?

17 A. No.

18 Q. You picked this up; right (indicating)?

19 A. Yes.

20 Q. And you said this was the biggest quantity of
21 drugs that Darryl ever had in the book bag or in the
22 backpack; isn't that correct? He had a number of these,
23 but this was the biggest one, and then he would have
24 smaller ones?

25 A. Yes.

1 Q. Isn't that correct?

2 A. Yes.

3 Q. By the size?

4 A. Yes.

5 Q. You held this (indicating)? You held this in your
6 hand, did you not?

7 A. Yes.

8 Q. And I'm referring to Defendant's Exhibit 1.

9 You never held any of the drugs that were in
10 your house, did you?

11 A. No.

12 Q. So you're going by size?

13 A. Right.

14 Q. By what you see?

15 A. Yes.

16 Q. So you don't know the weight; right?

17 A. Right.

18 Q. Now, you're saying in one instance that there were
19 approximately four pounds of drugs a week. Now, let me
20 see if I understand that.

21 Linette would bring over drugs. Darryl would
22 sell some. He would then rewrap them, take them back to
23 Linette. The next night, if it was one of those nights,
24 he would beep her. She'd come back with those drugs; is
25 that right or wrong?

1 A. Yes.

2 Q. Okay.

3 Now, is that more drugs or is that the same
4 drugs again?

5 A. I have no idea.

6 Q. You don't know; right?

7 A. Right.

8 Q. Okay.

9 So it is possible that he had two of these
10 (indicating)? Two quarter-keys, okay, in a bag.

11 MR. PRETTYMAN: Objection, your Honor. I
12 think he's talking about a fact not in record about what
13 the weight of that is. There has been no testimony as
14 to that.

15 MR. BENSON: Well, I can certainly -- I can
16 either have that done or we can have this weighed. I'm
17 representing for purposes of cross-examination or
18 examination of this witness that this is equal to a
19 quarter --

20 THE COURT: That's okay.

21 MR. BENSON: Thank you.

22 BY MR. BENSON:

23 Q. Now, let's say he, Linette, brought up two of these
24 (indicating), in a bag, in the backpack; right? You
25 opened the backpack. You see these two there; okay?

1 A. Mm-hmm.

2 Q. Now, Darryl opens for business. He sells a
3 couple eight balls. Do you know what they are?

4 A. No.

5 Q. No? Well, he sells half of one of these
6 (indicating); okay?

7 A. Mm-hmm.

8 Q. During the course of a night.

9 Now, business is over. He rewraps it,
10 re-tapes it, puts it in the bag, gives it back to
11 Linette; okay?

12 The next night, he beeps her. She comes back
13 with this and a half a one of these, the same drugs. Is
14 that possible?

15 A. Yes.

16 Q. Now, is that part of the two pounds? Do you
17 understand? When you say that there were two pounds --
18 let me tell you exactly what you said.

19 Darryl Chambers was moving two pounds of
20 crack cocaine and two pounds of powder cocaine on a
21 weekly basis.

22 Now, the two pounds that you are talking
23 about are -- that's approximately a key of powder and
24 a key of crack is what you are saying, right, on a
25 weekly basis?

1 Now, what you are saying is that if he had
2 two of these in one night (indicating), two of these
3 quarter-keys, and sold a half of one of them, an eighth
4 of a key -- are you following that so far?

5 A. Mm-hmm.

6 Q. He rewraps it. He puts it in the bag. He gives
7 it back to Linette.

8 The next night, Linette comes over, after
9 she's beeped, and she has a quarter-key and an eighth of
10 a key in the bag; right? Maybe you looked in there and
11 you saw it. Is that possible?

12 A. I didn't see -- well, I ain't see what you're
13 talking about, but it is possible that he could have
14 rewrapped.

15 Q. Yes.

16 So when you talk about two pounds, you don't
17 know of your own knowledge whether or not it was two
18 pounds of cocaine that he was selling every week, do
19 you? You know -- you know that the drugs were coming in
20 every night from Linette and going back to Linette and
21 coming -- and coming back the next night from Linette;
22 isn't that correct?

23 A. Yes, but I also saw it before.

24 Q. You saw what now? Tell me.

25 A. The -- it was four of them. They looked like

1 sugar boxes.

2 Q. Yes.

3 A. They was that size and I saw it before he -- and
4 then he took them down and wrapped them and put them
5 like that.

6 Q. Right. I understand.

7 And then he would do this every week?

8 A. I saw him, like, about four or more times.

9 Q. Four times? Out of a period of eight --

10 MR. PRETTYMAN: Excuse me, your Honor. She
11 said four or more.

12 BY MR. BENSON:

13 Q. Four or more times out of a period of eight weeks?

14 A. Mm-hmm.

15 Q. So that's not every week, is it?

16 A. No.

17 Q. That's maybe every other week?

18 A. It could be.

19 Q. Well, this is what I'm asking you. Could it have
20 been every other week? Was it every week?

21 A. It's possible to be every other week.

22 Q. So it may be every other week that you are
23 talking about four sugar boxes?

24 A. It's possible.

25 Q. I'm sorry?

1 A. I said it's possible.

2 Q. So when you told Agent Cobb or these other people
3 or you testified in front of the Grand Jury, you may
4 have been mistaken or are you mistaken now? In other
5 words, were you right when you said it was every week
6 four pounds or are you now more correct by saying it may
7 have been every other week?

8 A. I can't say it was every week and I can't say it
9 was every other week. I know I saw it.

10 Q. You saw it.

11 A. Right.

12 Q. I understand.

13 A. And I can't really tell you the numbers, because...

14 Q. But you have told numbers.

15 A. Right.

16 Q. That's what we're all here about today. You have
17 told numbers.

18 Now we're trying to find out how truthful
19 those numbers are. That's what it's about today. Do
20 you understand that?

21 A. Yes.

22 Q. So this is important. You need to really think
23 about this.

24 Could it have been four sugar boxes every week
25 or every other week?

1 Now, you're thinking about it?

2 A. Mm-hmm.

3 Q. All right.

4 Is it possible that it was every other week?

5 MR. PRETTYMAN: Objection, your Honor. If
6 she's thinking about it, you don't need another question.

7 MR. BENSON: Excuse me. Think about it.

8 (Pause.)

9 BY MR. BENSON:

10 Q. Well, let's put that on the back burner and you
11 can think about it a little later; okay?

12 A. Yes.

13 Q. Now, you talked also to these agents about money
14 that Darryl had.

15 A. Yes.

16 Q. Now, how often would you see this money that he
17 had? Like from the sale of drugs?

18 A. It was -- I saw, like -- it wasn't every day I
19 would see the money.

20 Q. Okay.

21 As I understand it, at night he would -- after
22 he was done selling drugs, he would sometimes leave the
23 money at the house?

24 A. He did before.

25 Q. At your house?

1 A. He did before.

2 Q. Yes.

3 And you didn't know where and you never
4 messed with it; right?

5 A. Right.

6 Q. And then he would come back and then he would sell
7 more drugs the next night, after Linette showed up. And
8 maybe take the money, maybe not. But on one occasion,
9 you saw him. He had \$3600 in cash; isn't that right?

10 A. Yes.

11 Q. And on another occasion, he had \$1400 in cash?

12 A. Yes.

13 Q. Now, the \$3600 in cash, was that after he had left
14 money at your house for a night or two? Was that for
15 one night?

16 A. He was outside. He asked me to count it.

17 Q. I understand. But did he make it that one
18 particular night or is it money that he had from before?

19 Do you know where that money came from?

20 A. Yes.

21 Q. Where did it come from?

22 A. It was three guys that brought him money and he
23 was giving them stuff. And he told me to count it for
24 him.

25 Q. And it was 3600? Okay.

1 Do you know how much drugs he would have
2 had to have sold for \$3600?

3 A. No.

4 Q. You don't know the street value of drugs?

5 A. No.

6 Q. If I suggest to you that would have been about 4
7 ounces of drug, would you think that's appropriate?

8 A. I don't know.

9 Q. You don't know.

10 How about the time with the \$1400? How did
11 that come about?

12 A. He -- he just gave it to me. He was outside selling
13 it and he told me, Count it.

14 Q. Okay.

15 And that was \$1400? Do you know how much
16 drugs you'd have to sell for \$1400?

17 A. No.

18 Q. If I suggest two ounces of drugs, would you think
19 that might be right or wrong?

20 A. I don't know.

21 Q. You don't know.

22 Now, what's a brick?

23 A. It looks like a sugar box.

24 Q. Well, you mean that's what a brick is? Sugar box?

25 A. That's what I call a brick, yes.

1 Q. Same size?

2 A. It's about that size.

3 Q. Is it bigger or smaller?

4 A. It could be.

5 Q. Could be what? Bigger or smaller?

6 A. Yes.

7 Q. Okay.

8 So when you testified or you said to the agent
9 that interviewed you on December the 11th, the most
10 cocaine that you ever observed was two bricks at one time,
11 that would have been two pounds; right? That's two sugar
12 boxes? That's the most ever you ever saw Darryl have at
13 one time? That's not right?

14 A. No.

15 Q. Well, that's what you said, or that's what they
16 recorded. Excuse me.

17 Let me read it to you:

18 "In October, Wolfie used a black tote
19 bag to transport marijuana, but it has not
20 been seen since. The most cocaine that
21 Bullock observed was two bricks at one time."

22 A. I don't remember saying that.

23 Q. Do you think you did say it?

24 A. I don't remember saying it.

25 Q. So you're saying -- if that is a statement that

1 the officer or that the agent wrote down, that's
2 incorrect?

3 A. I don't remember saying it. I saw my paperwork,
4 too. I don't remember seeing it.

5 Q. So it may not be true, then? I can't hear you.

6 A. I didn't say nothing.

7 Q. Oh.

8 Now, Linette started coming to the house;
9 right? Darryl would beep her. She come to the house,
10 drop off the bag; right?

11 A. Yes.

12 Q. Right?

13 A. Yes.

14 Q. Yes.

15 Now, didn't she normally spend some time
16 there with you guys?

17 A. Yes.

18 Q. Yes. Like if she -- she would come over four or
19 five nights a week, drop off the tote bag or whatever
20 you call it, like at 6:00 o'clock or so, and she would
21 stay a couple hours?

22 A. Yes.

23 Q. Okay.

24 Would this be pretty regular that she would
25 do this?

1 A. She always stayed, yes.

2 Q. Always stayed. Always stayed.

3 What time would she leave, usually?

4 A. Different. It depends.

5 Q. Well, general. General. 9:00 o'clock?

6 A. Sometimes early, sometimes late. It depends.

7 Q. But she's the one that always brought the drugs;
8 right?

9 A. She didn't always.

10 Q. Okay. I withdraw that. You're right. You say
11 that some other people occasionally brought drugs.

12 But, generally speaking, she was the one
13 that was bringing the drugs on a regular basis?

14 A. Right.

15 Q. Four or five nights a week?

16 A. Yes.

17 Q. In the bag.

18 A. Yes.

19 Q. She would always stay; right?

20 A. The majority of the time, she would stay, yes.

21 Q. Well, majority of the time, does that mean 50
22 percent of the time or 90 percent of the time?

23 A. 90.

24 Q. 90 percent of the time. And she would stay
25 anywhere from an hour to two or three hours?

Bullock - direct

127

1 A. Yes.

2 Q. And you guys would talk and horse around and all
3 that stuff. And Darryl was out, selling his drugs;
4 right?

5 A. Sometimes he wouldn't start, then, at 6:00 o'clock.
6 I don't remember him starting --

7 Q. Okay. Well, whatever.

8 I think you did say that he did start at
9 6:00, actually.

10 Would she be there, normally, when Darryl
11 started selling the drugs? Linette, I'm talking about.
12 Sorry.

13 A. Sometimes.

14 A. Sometimes 6:00 o'clock. Sometimes it would be
15 dark.

16 Q. I understand.

17 A. In the beginning it wasn't dark at 6:00 o'clock.

18 Q. In the beginning it wasn't dark at 6:00 o'clock.
19 It got dark later on in the year?

20 A. Right.

21 Q. And that's when he started selling the drugs?

22 A. When it got dark.

23 Q. When it got dark.

24 And Linette would be there some of the time?

25 A. Yes.

1 Q. Most of the time?

2 A. Yes.

3 Q. The majority of the time, 90 percent of the time?

4 A. Mm-hmm.

5 Q. Right.

6 So she was there 90 percent of the time when
7 he started selling the drugs?

8 A. Yes.

9 Q. And sometimes she would be there for an hour or
10 two before he would even sell the drugs?

11 A. Yes.

12 Q. Because it would be light out?

13 A. Yes.

14 Q. And then she would still be there afterwards?

15 A. She'd go home and -- she'll be there and sometimes
16 she'll just be there so he could like, Nettie, go get it,
17 and she'll go get it.

18 Q. Right.

19 A. And that's how it was.

20 Q. Then she'd come back with it?

21 A. Right.

22 Q. And then she'd come back and hang out with you,
23 whatever, listen to the radio?

24 A. Yes.

25 Q. And Darryl would do his thing; right?

1 Okay. Now, let's talk about -- well, before
2 we talk about the crack business, in your testimony in
3 front of the Grand Jury, in response to Mr. Prettyman's
4 questions to you, and I'm referring to actually A-47,
5 which is Page 16, I guess. I'm looking at the Grand
6 Jury testimony, your Honor.

7 Mr. Prettyman says to you -- let me ask you
8 the first question. This is the question from Mr.
9 Prettyman:

10 "And the agent, Agent Cobb, helped
11 you with the quantities by giving you the
12 idea of a one-pound sugar box to use to
13 try to decide how much weight it was; is
14 that correct?"

15 And you say:

16 "Yes."

17 So in response to that question about Agent
18 Cobb putting the idea in your mind, you say yes. Helping
19 you with the quantity by giving you the idea. He gave
20 you the idea of the one-pound box?

21 A. Yes. We're trying to determine --

22 Q. Yes.

23 Now:

24 "Based upon that understanding" --

25 Mr. Prettyman says:

1 "Based upon that understanding about
2 the box of sugar being one pound, did you
3 tell us that from September of '97 to
4 about December the 8th, '97, that Wolfie
5 possessed with intent to distribute
6 approximately 10 keys of cocaine and ten
7 keys of crack? 10 keys."

8 And your answer is:

9 "Yes."

10 Now, in front of the Grand Jury you're
11 saying it was 10 keys of crack and 10 keys of powder.

12 MR. PRETTYMAN: Your Honor, again, that says
13 "approximately" in what Mr. Benson read from, in both
14 places.

15 MR. BENSON: Well, your Honor, I'm not aware
16 that approximately goes from 10 keys to three keys.

17 THE COURT: You can --

18 MR. BENSON: Okay.

19 THE COURT: You can clarify it on redirect.

20 MR. BENSON: All right.

21 BY MR. BENSON:

22 Q. Approximately 10 keys; is that right?

23 A. Yes.

24 Q. Now, you have also said in your statement to the
25 agent that it was four pounds either a week or every

1 other week; right? Four pounds is less than two keys?
2 Do you agree? Remember we had that conversation and I
3 was asking you about the weight?

4 A. Mm-hmm.

5 Q. So you're talking about two keys either a week or
6 every other week for about eight weeks?

7 A. Mm-hmm.

8 Q. Because there's about ten weeks involved and there
9 were two weeks when Wolfie was shot that he wasn't doing
10 anything?

11 A. Mm-hmm.

12 Q. So about eight weeks?

13 Now, that's not equal to 20 keys,
14 approximately, is it? Isn't that a lot less than 20
15 keys? Do you understand?

16 A. Can you rephrase it?

17 Q. Now, you testified that you saw Darryl with a gun
18 in the house; isn't that right?

19 A. Yes.

20 Q. I can't hear you.

21 A. Yes.

22 Q. You also testified that you never saw Darryl with
23 a gun when he had drugs; is that correct?

24 A. I told them I don't remember when I seen him with
25 the gun. I know I saw him with a gun.

1 Q. But not when he had drugs?

2 A. I didn't say not when he had drugs. I don't
3 remember if it was when he had drugs or when it wasn't,
4 so I can't tell you exactly when I saw the gun.

5 Q. Now, at some point Darryl started cooking cocaine,
6 did he not?

7 A. Yes.

8 Q. And when did that come to pass? When did that
9 happen? He had been in your house -- let's go through it
10 again slowly. You make the relationship. He starts
11 coming to your house. He's outside for two or three
12 weeks. Starts to come in the house. He doesn't start
13 cooking cocaine right away, does he?

14 A. No.

15 Q. How long had he been selling out of your house?
16 Now, when I say out of your house, he's in the house and
17 he's selling outside. We know all that.

18 How long had he been doing that before he
19 starts cooking crack?

20 A. Like a week or two.

21 Q. A week or two?

22 A. Mm-hmm.

23 Q. So would that not be some time in the middle of
24 October?

25 A. It could be, yes.

- 1 Q. Could it have been later than October?
- 2 A. No.
- 3 Q. How old is your daughter?
- 4 A. Four.
- 5 Q. What's her birth date?
- 6 A. 12/17/93.
- 7 Q. And your son is August; right?
- 8 A. Yes.
- 9 Q. Or July, rather?
- 10 A. No. August.
- 11 Q. Or August, rather.
- 12 How about your birthday?
- 13 A. 10/26/71.
- 14 Q. All right. Was it around your birthday?
- 15 A. It was before my birthday.
- 16 Q. 10/26 is your birthday?
- 17 A. Yes.
- 18 Q. Was it two weeks before your birthday?
- 19 A. It was before my birthday.
- 20 Q. I understand. Well, was it the day before your
- 21 birthday?
- 22 A. No.
- 23 Q. A couple weeks before your birthday?
- 24 A. Yes.
- 25 Q. So around the 8th to the 12th or 14th of October

1 was the first time you cooked crack?

2 A. He didn't cook it; someone else did.

3 Q. Someone else cooked it at the house?

4 A. Yes.

5 Q. But he did not cook it.

6 Was that the first time that crack had
7 been cooked in your house that Darryl was involved in?

8 A. Yes.

9 Q. Was Linette there?

10 A. No.

11 Q. Had she been there that night?

12 A. She probably was there earlier.

13 Q. And did you observe the crack being cooked?

14 A. The first time?

15 Q. Yes.

16 A. I saw the person doing it, but I didn't pay it no
17 mind.

18 Q. So you don't know the weight that was being
19 cooked?

20 A. No.

21 Q. You don't know anything about it?

22 A. No.

23 Q. All you know is you saw somebody at the stove,
24 cooking up a batch of cocaine?

25 A. Yes.

1 Q. And how did you know that?

2 A. I saw what they was doing.

3 Q. Well, how did you know? I mean, did you know
4 about cooking crack? I mean, you didn't take a course
5 like the agent did to learn how to do it?

6 A. No.

7 Q. So how do you know what cooking crack is about?

8 A. I saw how it looked when they finished. I did see
9 that part.

10 Q. Okay.

11 How did it look when they finished?

12 A. It was like a yellow, hard, like chalk.

13 Q. How much was there? Anybody weigh it?

14 A. Wolfie weighed it, but I don't know how much it
15 was.

16 Q. All right.

17 Was it more than a handful?

18 A. It was -- it wasn't a lot the first time.

19 Q. It wasn't a lot? I'm sorry?

20 A. It wasn't a lot the first time.

21 Q. It was not a lot the first time.

22 And that was around sometime before your
23 birthday -- sometime in the middle of October.

24 When was the next time that crack was cooked
25 in your house?

1 A. Like two days later.

2 Q. And who did that?

3 A. Another lady.

4 Q. Another lady?

5 A. Yes.

6 Q. And were you there?

7 A. Yes.

8 Q. Did you see it?

9 A. Yes.

10 Q. Did you -- were you a part of it?

11 A. I was -- I just watch.

12 Q. You watched? Okay.

13 And what was that quantity?

14 A. I don't know like how much it was. All I know, I
15 saw her do it.

16 Q. Did it appear to be the same quantity?

17 A. A little more.

18 Q. A little more. But you don't know how much?

19 A. No.

20 Q. Was it as much as the sugar box?

21 A. No.

22 Q. No.

23 And what happened to those drugs? The crack
24 that was cooked the two days before and the crack that
25 was cooked that night?

1 A. I couldn't tell you.

2 Q. Do you know if it was smoked?

3 A. It could have been.

4 Q. You don't know that it was sold?

5 A. Right.

6 Q. Okay.

7 So you don't know what happened to it?

8 A. Right.

9 Q. You don't even know if the girls or women or
10 whoever -- two women?

11 A. It was two different women.

12 Q. Two different women. You don't know if they
13 didn't cook it up for themselves and take it when they
14 left? Right?

15 A. Right.

16 Q. So you don't know anything about that.

17 A. I didn't see them take it with them, though.

18 Q. What?

19 A. I didn't know what he did with it, but I didn't
20 see them take it.

21 Q. You didn't see them take it, but you don't know what
22 he did with it. They may have smoked it?

23 A. Not in my house.

24 Q. They wouldn't do that? How about outside?

25 A. Possible.

1 Q. Okay.

2 When was the next time you saw crack cooked
3 in your house?

4 A. Like another two days later, then Wolfie cooked
5 it himself.

6 Q. So that would have been six days after the first
7 time?

8 A. Yes.

9 Q. So around approximately the 18th or 20th of October.
10 Now, when is your birthday?

11 A. 26th.

12 Q. Was it about a week before your birthday the first
13 time Wolfie cooked it? Don't remember or you're saying
14 no?

15 A. It was before my birthday.

16 Q. I understand.

17 A. A week before my birthday, too.

18 Q. A week before your birthday?

19 A. I know that for sure.

20 Q. Yes. That's what I just said. Your birthday is
21 the 20th, so around the 19th or 20th?

22 A. It could have been.

23 Q. Right?

24 A. Yes.

25 Q. I'm not trying to put words in your mouth; I'm

1 asking you.

2 A. I think it was before then.

3 Q. Well, how much before then?

4 A. Like two weeks before then, because I -- yeah.

5 Q. Because what? You are getting ready to say
6 something.

7 A. On my birthday I told them to stop.

8 Q. I didn't hear what you just said.

9 A. I was going to tell him on my birthday, I can't
10 keep having this going on, so I'm going to tell them he
11 has to stop.

12 Q. Did he stop on your birthday?

13 A. I didn't tell him.

14 Q. You didn't?

15 A. I was going to, but I didn't.

16 Q. Was Linette there the first time Wolfie cooked it?

17 A. I can't remember her being there.

18 Q. You don't recall that?

19 When Wolfie started cooking the crack, did he
20 buy bicarbonate of soda? Do you know what bicarbonate of
21 soda is?

22 A. No.

23 Q. Baking powder? Do you know what baking powder is?

24 A. Yes.

25 Q. Did he buy baking powder?

- 1 A. Yes.
- 2 Q. And how many boxes of baking powder did he buy?
- 3 A. It was only one in the house then.
- 4 Q. Only one?
- 5 A. Yes.
- 6 Q. How big was it?
- 7 A. I don't know. I couldn't tell.
- 8 Q. One of those small Arm & Hammer things.
- 9 A. I couldn't tell.
- 10 Q. Don't remember that?
- 11 A. No.
- 12 Q. But you knew it was there?
- 13 A. Yes.
- 14 Q. Was that yours?
- 15 A. No.
- 16 Q. I mean the baking powder.
- 17 A. No.
- 18 Q. He bought that?
- 19 A. Yes.
- 20 Q. And he cooked up some crack. How long did it take
- 21 him to cook it?
- 22 A. About five minutes, if that long.
- 23 Q. Okay.
- 24 And what did he do with that?
- 25 A. What you mean?

1 Q. What did he do with the crack after he cooked it?

2 A. He let it dry first.

3 Q. Well, did he smoke it? Did he sell it? Did he
4 give it away.

5 A. He packed it up.

6 Q. Packed it up. And do you know the quantity?

7 A. No.

8 Q. You have no idea?

9 A. No.

10 Q. And after that first time that he tried to cook it,
11 he cooked the one batch, five minutes or so?

12 A. Mm-hmm.

13 Q. When was the next time he cooked it?

14 A. It was like whenever people would come for it. It
15 was a lot.

16 Q. Now, was Linette there?

17 A. I recall her being there, I think one time. She
18 said it stinks, so she left.

19 Q. Well, Linnette's testimony is that she was there
20 twice.

21 A. Oh, I don't know.

22 Q. Your testimony is that she was there every night,
23 but she was never there when the drugs were cooked.

24 A. Right.

25 Q. So when would he cook the drugs is my question to

1 you? After Linette left every night?

2 A. It would be late. It would be late night. My
3 kids would be in bed and it would be late.

4 Q. Well, what does late mean? 9:00 o'clock, 10:00
5 o'clock?

6 A. Yes.

7 Q. And he would cook up a batch of crack cocaine?

8 A. Yes.

9 Q. And it would be just one batch, usually?

10 A. It's like -- if somebody came for it and he didn't
11 have none done, he'll cook it for them.

12 Q. I understand.

13 And how often would that happen in a
14 particular night is my question to you?

15 A. I saw him do it twice one night.

16 Q. Twice one night?

17 A. And that's it.

18 Q. Now, would this be every night or a couple nights
19 a week, generally speaking?

20 A. I wasn't down there every single night, but majority
21 of the nights I was down there, he cooked it up.

22 Q. Well, how many nights were you there? You're
23 talking about downstairs?

24 A. Yes.

25 Q. How many nights were you there?

1 A. At first, it was, like, most of the time. It was
2 like I would say four to five times. Then, near the end,
3 I wasn't down there, because I was working.

4 Q. Where were you working? Upstairs?

5 A. No.

6 Q. Or out of the house?

7 A. I'm saying I go to bed so I couldn't stay up and --

8 Q. Oh, you were working somewhere so you went to bed?

9 A. Yes.

10 Q. Did it smell bad, this crack business, when you
11 cooked it?

12 A. Yes, you could smell it.

13 Q. Did it wake you up when you were sleeping?

14 A. I might have got up, went to the bathroom, go be
15 newsy downstairs, then I come back up.

16 Q. So when you were sleeping, you don't know what he
17 was doing, as far as selling drugs or selling crack or
18 cooking crack, do you?

19 A. Right. No.

20 Q. I can't hear you?

21 A. When I'm asleep, no.

22 Q. And how often would you be sleeping?

23 A. At the beginning, I used to stay up.

24 Q. Stay up?

25 A. And then near the end, it was like three nights a

1 week.

2 Q. That you would be sleeping?

3 A. No. I would be up.

4 Q. Three nights a week?

5 A. Yes.

6 Q. And the other three weeks, you'd be asleep. And of
7 the three weeks that you were awake, every night he would
8 cook crack?

9 A. Mm-hmm.

10 Q. One time or twice?

11 A. Mm-hmm.

12 Q. No more than that?

13 A. It depends -- like I say, it depends on the person
14 who comes for it.

15 Q. But no more than once or twice?

16 A. Yeah.

17 Q. Now,, and it would be like one of these five-minute
18 jobs? You know, you cook it up for five minutes and that
19 would be it?

20 A. It's around that.

21 Q. Yes.

22 Now, do you know the quantity that he was
23 cooking?

24 A. No.

25 Q. Did you ever see it?

1 A. I saw how it looked when it was finished.

2 Q. Did you ever weigh it?

3 A. No.

4 Q. Did you ever weigh the powder?

5 A. No.

6 Q. Now, at the time that he was arrested and you were
7 arrested, I think there were three boxes of baking soda
8 in the house, unopened. Were they opened or unopened?

9 A. They was opened.

10 Q. All three were opened?

11 A. I believe so.

12 Q. Were they the only boxes of baking soda that Wolfie
13 had purchased for the making of the crack?

14 A. What? The whole time he had been in my house?

15 Q. Yes.

16 A. No.

17 Q. Do you know how many boxes he had purchased?

18 A. I don't know exactly how many, but I know those
19 three wasn't the only three.

20 Q. Well, do you know how many more there might have
21 been? Could there have been one more, 20 more, a
22 hundred more?

23 A. I say four more.

24 Q. Four more?

25 Do you know what the size was?

1 A. No.

2 Q. Now, are you guessing four more? Could it have
3 been three more?

4 A. It's possible it could have been three. I'm not
5 for sure --

6 Q. Okay.

7 A. About --

8 Q. Were these the small boxes, Miss Bullock? Do you
9 remember the size of the boxes?

10 A. If I saw the box, I could probably show you.

11 Q. Right. If I had one, I would show it to you.

12 So you don't know the size?

13 A. Right.

14 Q. Was it as big as the sugar box?

15 A. No.

16 Q. Smaller?

17 A. Like half of it.

18 Q. Half of it. So it could have been 8 ounces, or
19 something like that?

20 A. Yes.

21 Q. Or smaller than 8 ounces?

22 A. Yes.

23 Q. Now, when you were in bed asleep those three nights
24 out of the six, you don't know that Wolfie was cooking up
25 crack or not; right?

1 A. When I came downstairs, I would go to the bathroom
2 and sometimes I see or I could -- even if I didn't see
3 it, I knew he was, because the container might be
4 sitting there and I would clean it and put it down in
5 the thing.

6 Q. Was it a small container?

7 A. It's a measuring cup.

8 Q. And that's what he would cook it in?

9 A. Yes.

10 Q. How big a measuring cup? Small, big? Do you
11 remember?

12 A. It wasn't small.

13 Q. Small one?

14 A. No. It was, like --

15 Q. Gallon? It was your measuring cup, wasn't it?

16 A. No.

17 Q. It was his?

18 A. Yes.

19 Q. And you don't remember the size?

20 A. No.

21 Q. Now, you've told the agents that the crack was
22 equal to a key a week. That's 2.2 pounds a week.

23 A. I don't remember saying that.

24 Q. You said it a couple times, actually: In your
25 statement on December the 11th, three days after you were

Bullock - direct

148

1 arrested, Bullock states that Darryl Chambers was moving
2 two pounds of crack cocaine and two pounds of powder
3 cocaine on a weekly basis.

4 That's two pounds of crack a week. Now, do
5 you really believe that? Two pounds of crack a week?
6 Is that what he was selling? That's what he was cooking
7 at your house?

8 A. Mm-hmm.

9 Q. Do you know how much a pound is?

10 A. No.

11 Q. Was he selling enough, or cooking enough crack to
12 fill two sugar boxes? Two sugar boxes?

13 A. Yes.

14 Q. You saw that? And that was how many weeks -- how
15 many weeks was that?

16 MR. PRETTYMAN: I don't know if she verbally
17 answered or shook her head, because I was writing down.

18 THE WITNESS: Yes. I said yes.

19 BY MR. BENSON:

20 Q. And that was every week starting when? In October
21 sometime?

22 A. Yes.

23 Q. Except two weeks in November when he was shot?

24 A. Yes.

25 Q. And you were arrested December 8th?

1 A. Yes.

2 Q. Did he cook the week of December 8th?

3 A. Not -- Sunday he wasn't out, and then Monday --

4 Q. He got arrested?

5 A. All I know, I got the book bag. I don't know what
6 else happened then.

7 Q. Okay.

8 So the crack we're talking about -- and
9 you're testifying under oath truthful -- that you're
10 saying you feel comfortable in saying that you know of
11 your own first-hand knowledge that he was cooking two
12 pounds of crack cocaine a week for -- from sometime in
13 the middle or thereabouts of October through December
14 the 8th, which would be seven weeks less two, when he
15 was shot, would have been five weeks.

16 MR. PRETTYMAN: Your Honor, we're always
17 getting lighter. I think that the amount that she
18 testified to before and the math that Mr. Benson has
19 repeatedly done has been eight weeks for that time
20 period.

21 MR. BENSON: No, no. That's not true. If I
22 need to explain --

23 MR. PRETTYMAN: If I'm wrong --

24 MR. BENSON: You are wrong and I accept your
25 apology.

1 BY MR. BENSON:

2 Q. We're talking about the crack here, not the powder.

3 A. Can I say something?

4 Q. No.

5 MR. BENSON: Sorry, Judge?

6 THE COURT: Well, I'm happy to have you get
7 testimony from her and then we'll have argument later.

8 MR. BENSON: I mean, I thought there was an
9 objection. I was just trying to clear that up.

10 BY MR. BENSON:

11 Q. As I understand it, you started cooking the crack
12 at your house sometime around the middle of October?

13 A. He cooked it himself. I don't know who cooked it
14 for him before. But there was crack in October. When
15 I first saw him cut that thing open, it was crack in
16 there. I know what I saw. It was crack.

17 Q. Did you ever feel it?

18 A. He opened it, like you had.

19 Q. Yes?

20 A. And when he cut it open before he sell it, like to
21 package it up or whatever, it was like that. When he cut
22 it, it was crack in there.

23 Q. How much was in there?

24 A. I don't know. I didn't weigh it.

25 Q. Was it a sugar box full?

1 A. It was different sizes.

2 Q. Well, was it a sugar box full, total?

3 A. If I probably put it together, yes.

4 Q. And then he would sell it all in one night and you'd
5 be sitting there?

6 A. I don't know if he sold it all.

7 Q. What he didn't sell, he would wrap up?

8 A. Yes.

9 Q. Give it back to Linette. She would bring it back
10 the next night; isn't that right?

11 A. Yes.

12 Q. Right?

13 A. Yes.

14 Q. So the question is: Does it come out that he sold
15 two pounds of crack a week?

16 A. Yes.

17 Q. How do you know that?

18 A. From what I saw him with and stuff. Like when I'm
19 sitting out there and like -- sometimes people come with
20 a quantity amount and I would be watching, like it would
21 be like a sandwich bag.

22 Q. You're giving it to him or he's giving it to them?

23 A. He's giving it to them.

24 Q. Yes?

25 A. So it would be like a sandwich bag.

1 Q. Yes?

2 A. It might be halfway full with either crack -- crack
3 or either the other thing. I didn't never weigh it, so I
4 couldn't tell you.

5 Q. You don't know the quantity?

6 A. Right. It's just what I saw.

7 Q. Right.

8 And the question is: Cooking it up, he cooked
9 up two pounds a week?

10 A. Yes.

11 Q. From the middle of October to December the 8th,
12 with the exception of two weeks?

13 A. Yes.

14 Q. And that was about the same amount that he cooked
15 up every week? Always the same? About two pounds?

16 A. Mm-hmm.

17 Q. What wasn't sold, he would give back to Linette?

18 A. Yes.

19 Q. Okay.

20 Now, the night that you got arrested,
21 remember the drugs that were found in your house?

22 A. Yeah. I heard about it. I didn't see it.

23 Q. You didn't see it?

24 A. No.

25 Q. You don't know the quantity?

1 So you don't know anything about it?

2 MR. BENSON: Your Honor, may I see
3 Government's -- I guess 10-A, B, C, whatever it is?
4 You've got them here?

5 (Pause.)

6 MR. BENSON: May I approach the witness,
7 your Honor?

8 BY MR. BENSON:

9 Q. Ms. Bullock, do you recognize this? Do you want
10 to pick it up? Does that feel chunky and hard?

11 A. Yeah.

12 Q. Thank you.

13 Now, did you see Darryl with these drugs,
14 this drug (indicating)?

15 A. That kind of drug?

16 Q. This drug, this drug (indicating)?

17 A. I didn't see that.

18 Q. This was taken out of your house.

19 A. Oh. No.

20 Q. Do you know what this is? What is it?

21 A. Crack.

22 Q. Crack?

23 A. I think.

24 Q. You think it's crack?

25 A. Yes.

1 Q. Good.

2 Suppose I tell you it's not crack. So you
3 saw him selling all this crack you were telling us. Now,
4 you say this is crack (indicating), this is what you saw
5 him selling?

6 A. It -- it's in all that. I can't really see, but
7 when I touched it, it felt hard.

8 Q. Yes.

9 A. And crack is hard.

10 Q. Yes.

11 A. I do know that.

12 Q. The question is: I mean, when he's selling drugs
13 outside of your house and it's dark, I mean, there's no
14 overhead light on, is there? I mean, nobody --

15 A. Sometimes it would be like if he lost something,
16 he'll say, put the light on.

17 Q. Yes?

18 A. But you could see that the powder -- it don't be
19 in that kind of bag, it be in a clear plastic sandwich
20 bag.

21 Q. I understand.

22 A. So it's a difference.

23 Q. And --

24 A. You can tell the difference.

25 Q. And I asked you what this was?

1 A. Right.

2 Q. And you said this is crack?

3 A. Right. I never saw it like that. I never saw
4 Wolfie with nothing like that, wrapped up like that.

5 Q. Well, this is from Wolfie, isn't it?

6 A. But I'm saying I never saw that kind of wrapping
7 before, how it's wrapped up.

8 Q. All right.

9 How about this? Do you recognize this? Feel
10 it, touch it, squeeze it. Is that hard, rocky? Is that
11 the same as the other?

12 A. This is crack.

13 Q. Now, that's crack. Okay.

14 Now, is this the -- the weight that, or the
15 quantity that Wolfie would typically have?

16 A. He sell weight, too.

17 Q. He sells weight?

18 Now, what is this?

19 A. This feels like powder.

20 Q. That feels like powder? What does it look like?
21 Does it look like powder or does it look like crack?

22 A. You can't really tell in that kind of paper.

23 Q. You can't tell by looking at it?

24 Okay. So you don't know what this is?

25 MR. PRETTYMAN: Your Honor, the witness is

1 being given a lot of things without identifying which
2 exhibit.

3 MR. BENSON: Oh, I'm sorry. Well, the first
4 exhibit that I showed her that she identified is crack
5 cocaine is powder cocaine, according to the chemist.

6 MR. PRETTYMAN: Your Honor, like, 10-A, B,
7 C.

8 MR. BENSON: I'm going to tell you that in
9 a second if you won't interrupt me.

10 That would be 10-D, I think it is. I don't
11 know what happened to it. I gave it back to you. What
12 is that? 10-what? 10-D.

13 10-D, your Honor. It was the first package
14 that I showed the witness. She identified it as to her
15 knowledge as being crack and it has been identified as
16 being powder.

17 The second that I showed her was 10 --
18 Government Exhibit 9, I guess. I'm sorry. And that is,
19 in fact -- she identified it as crack and it is
20 identified by the Government chemist as crack.

21 The next is 10-B that I showed her that she
22 seemed to indicate that she didn't know what it was
23 because she couldn't tell from the packaging. And that
24 was, in fact -- has, in fact, been identified as powder
25 by the Government.

1 BY MR. BENSON:

2 Q. How about this, Miss Bullock?

3 A. Powder.

4 Q. Powder? Okay.

5 MR. PRETTYMAN: I'm sorry, your Honor. Could
6 he mention by exhibit?

7 MR. BENSON: I'm going to do that next, your
8 Honor. I showed her Exhibit 10-A and she identified it
9 as powder and it is, in fact, powder.

10 BY MR. BENSON:

11 Q. You also indicated in a statement to the officer
12 that Linette Crawford used to bring about a pound of
13 cocaine or more over to your house about five times a
14 week; is that right?

15 A. It's possible, yes.

16 Q. Not possible. Did you, in fact, say that, and do
17 you, in fact, mean that?

18 A. Yes.

19 Q. That she used to bring five pounds of cocaine a
20 week?

21 A. Five pounds of cocaine?

22 Q. Yes, five pounds.

23 A. I don't remember saying that.

24 Q. Well, let me read it to you:

25 "Bullock states that Linette Crawford

1 brought one pound of cocaine or more over
2 to 2602 Bowers Street about five times a
3 week."

4 A. I don't remember saying that.

5 Q. Well, is it true that she did that or not true?
6 Did she even come to your house five times a week?

7 A. Four to five. She came every day.

8 Q. She came every day and four to five times she
9 would bring drugs?

10 A. Mm-hmm.

11 Q. We already, I think, agree that many times she's
12 bringing back the same drugs? Drugs that weren't sold.
13 They would be rewrapped, taken back to Linette, and then
14 she would bring them the next night; isn't that correct?

15 A. Yes.

16 Q. Okay.

17 Is that part of the five pounds a week that
18 you're referring to?

19 A. Yes.

20 Q. So it's the same drugs being returned? And you're
21 just adding all of that up every day. If she brings one
22 pound today, to your house, and Wolfie sells a quarter a
23 pound, okay, sells 4 ounces, now he rewraps it. He
24 returns to Linette three-quarters of a pound; all right?

25 She then puts another quarter, a pound, in

1 the bag. Returns it the next night.

2 Are you listening to me?

3 A. Mm-hmm.

4 Q. Now, is that another pound in your mind?

5 A. Truthfully, I couldn't tell you if she's bringing
6 back the same -- I can't tell you what he sold, because
7 I don't know how much is what. And I just know -- and
8 I don't know how much all was in the book bag. Some
9 days I would, but some days I wouldn't. So he could
10 have sold -- I can't tell you how much he was selling.

11 Q. Yes.

12 A. Only what I saw. And how I'd looked.

13 Q. I'm sorry. Are you finished?

14 A. Mm-hmm.

15 Q. One thing you do know is that he would return
16 whatever was not sold to Linette?

17 A. Right.

18 Q. Store it at her house. And she would come back
19 the next night with drugs?

20 A. Yes.

21 Q. Would it be safe to say it was the same drugs plus
22 some additional drugs?

23 A. I couldn't say if it was the same or different.

24 MR. BENSON: Your Honor, may I just take a
25 moment?

1 Thank you.

2 (Pause.)

3 MR. BENSON: Your Honor, we have nothing
4 further on direct.

5 THE COURT: All right.

6 CROSS-EXAMINATION

7 BY MR. PRETTYMAN:

8 Q. Miss Bullock, before today, have you ever
9 testified in court?

10 A. Yes.

11 Q. Okay.

12 And when you've testified in court before --
13 and I'm not talking about entering your guilty plea or
14 testifying before the Grand Jury -- have you ever sat on
15 the witness stand like you have now and been asked
16 questions back and forth by lawyers?

17 A. Yes.

18 Q. How many times?

19 A. One.

20 Q. And how long ago was that?

21 A. Last year.

22 Q. All right.

23 And other -- other than that, that's the
24 only time you've testified in court?

25 A. Yes.

1 Q. Are you a little nervous or not nervous? You are
2 a little nervous today?

3 A. Mm-hmm.

4 Q. Okay.

5 If you don't understand something that I say,
6 or if I talk too fast, please ask me to repeat and I will
7 try to repeat or rephrase my question; okay?

8 A. Yes.

9 Q. When you were in need of money and on or about
10 September of 1997, do you recall that time?

11 A. Yes.

12 Q. What did you need the money for?

13 A. My ADT bill.

14 Q. Okay. I'm sorry?

15 A. It's an alarm system bill.

16 Q. Okay.

17 And the money that -- and you didn't have
18 that money at that time; is that right?

19 A. Yes.

20 Q. And why didn't you have the money?

21 A. I was out of work because my heart was bothering
22 me.

23 Q. And you sent someone to ask Mr. Chambers to borrow
24 the \$129; is that correct?

25 A. Yes.

1 Q. Do you see that Mr. Chambers that we've been
2 talking about, that Mr. Benson has been asking you about
3 for a while in the courtroom today?

4 A. Yes.

5 Q. Could you point to him, please?

6 A. Right there (indicating).

7 MR. BENSON: Your Honor, may the record
8 reflect the witness has identified the defendant?

9 THE COURT: Yes.

10 MR. BENSON: Thank you.

11 BY MR. BENSON:

12 Q. As part of the arrangement for him giving you the
13 money, did he then come and start using your steps
14 outside your house to sell the cocaine and the crack
15 cocaine that you told us about today?

16 A. Yes.

17 Q. And you believe that that started at the time when
18 you were taking your son to football practice in
19 September of 1997; is that right?

20 A. Yes.

21 Q. Today, is your memory fresher about what happened
22 from September of 1997 to December 8th, 1997, when you're
23 testifying here today, or back earlier, when you -- near
24 the time when it happened, when you testified in the
25 Grand Jury and when you entered your plea?

1 When is your memory of what happened fresher?

2 Then or now?

3 A. Back then.

4 Q. Now, Mr. Benson asked you a question about the
5 sugar box that you and Agent Cobb were talking about,
6 and I provided Mr. Benson a copy of a sugar box out
7 front that he showed you. Do you remember that?

8 A. Yes.

9 MR. PRETTYMAN: Your Honor, may I approach
10 the witness as I need to?

11 THE COURT: All right.

12 MR. PRETTYMAN: Thank you.

13 BY MR. PRETTYMAN:

14 Q. During the interview or the time you were talking
15 about Agent Cobb about the weights of the drugs and
16 you've already testified that you have problems with,
17 like, grams or ounces and weights like that.

18 Did you say that you asked -- that you and
19 Agent Cobb were looking around the kitchen -- I'm sorry.
20 Why don't you tell me how that happened?

21 A. He had came out to my job and I was sitting in the
22 van. And he was asking me. And I was, like -- it was a
23 speaker thing there. And I was trying to figure out --
24 like show him on that. So he said would a one-pound
25 sugar box be about right? And he -- I think he asked me

1 a couple more -- I ain't for sure -- other things. And
2 when he said the sugar box, I was, like, yes.

3 Q. Okay.

4 So Agent Cobb gave you a variety of
5 different-sized objects to help you decide what size the
6 object was that the package of cocaine and crack cocaine
7 that the defendant had, Wolfie had?

8 A. Yes.

9 Q. Did Agent Cobb tell you what to say?

10 A. No.

11 Q. Did Agent Cobb tell you that he wanted you to say,
12 and that you had to say that it was a pound or a kilo or
13 some amount of cocaine and crack cocaine that Wolfie was
14 selling?

15 A. No, he didn't.

16 Q. Did anybody tell you that?

17 A. No.

18 Q. Did I tell you that?

19 A. No.

20 Q. In front of the Grand Jury, did I tell you that?

21 A. No. You told me, Tell the truth.

22 Q. Now, some of the times that Mr. -- I'm sorry.

23 MR. PRETTYMAN: Your Honor, I said I was going
24 to approach. I forgot.

25 BY MR. PRETTYMAN:

1 Q. On May 11th, did you come in with your lawyer and
2 I show you the sugar box, the one-pound sugar box that we
3 were talking about?

4 A. Yes.

5 Q. Okay.

6 And then did you identify this as the size
7 and did I write down F.B. 5/11/98 as the one-pound sugar
8 box size?

9 A. Yes.

10 Q. Okay.

11 And does this appear to be the size of the
12 packages that would contain the cocaine and the crack
13 cocaine when you're talking about sugar boxes that the
14 defendant was moving?

15 A. Yes.

16 MR. PRETTYMAN: Your Honor, I'd move the
17 admission of this. I lost track of the numbers. I
18 think we're at 11?

19 DEPUTY CLERK: Yes.

20 MR. PRETTYMAN: I would move the admission
21 of this for purposes of the hearing.

22 THE COURT: All right.

23 MR. BENSON: No objection.

24 THE COURT: All right. It's admitted.

25 *** (Government's Exhibit No. 11 was received

1 into evidence.)

2 BY MR. PRETTYMAN:

3 Q. Some of the times when you would be outside
4 watching or sitting outside on your porch from September
5 '97 to December 8th, 1997, when the defendant was
6 arrested, during that time period, you would see the
7 defendant sell cocaine and crack cocaine; is that right?

8 A. Yes.

9 Q. And at some point he started coming inside the house
10 to use the inside of your house as well as using the
11 porch; is that right?

12 A. Yes.

13 Q. Okay.

14 A. He stored drugs inside.

15 Q. After he started storing drugs inside your house
16 during that time period, would he continue to sell the
17 cocaine and crack cocaine outside your house?

18 A. He let a couple people in before and sold it to
19 them.

20 Q. But would he also continue to make the sales
21 outside?

22 A. Yes.

23 Q. Of both of those drugs?

24 A. Yes.

25 Q. And did you still see it even after the beginning

1 of the three-week period when you would have been out
2 just about every night I think is what you said?
3 Afterwards, after he started coming in the house, would
4 you sometimes see him outside your house selling the
5 drugs, the cocaine and the crack?

6 A. Yes.

7 Q. And during the time period that you and Linette
8 Crawford, Nettie, you've been calling her -- that's
9 Linette Crawford; is that right?

10 A. Yes.

11 Q. During the time period from September 1997 to
12 December 8th, 1997, on or about that time, Linette
13 Crawford would bring over packages of cocaine and crack
14 cocaine for the defendant to sell? She would bring
15 those to your residence; is that right?

16 A. Yes.

17 Q. And your recollection here today is that that
18 occurred approximately four to five times per week?

19 A. Yes.

20 Q. During that time period that I've talked about? On
21 or about September 1997 until December 8th, 1997, with
22 two weeks off when the defendant got shot; is that right?

23 A. Yes.

24 Q. And I believe you've testified that during the time
25 period when the drugs were brought over, they would be

1 brought over, the cocaine and the crack cocaine, in a
2 black book bag, a knapsack type thing, Linette Crawford
3 would bring over to the defendant to sell the drugs, the
4 cocaine and the crack cocaine? And if he wasn't there,
5 she would give it to you to give to him; is that right?

6 A. Yes.

7 Q. And in response to Mr. Benson's questions, did you
8 indicate that approximately two to three times a week
9 you would look into the bag that would come over, that
10 black knapsack book bag that Linette Crawford would bring
11 over with the cocaine and the crack cocaine to the
12 defendant?

13 A. Yes, I did.

14 Q. When the crack cocaine and the powder cocaine that
15 came over from Linette Crawford to your residence for
16 the defendant to sell, did you see the defendant open up
17 the packages of the cocaine and the crack cocaine and
18 see what was inside?

19 A. Some days.

20 Q. And would that be approximately the same amount of
21 time as the times you looked into the book bag? Two or
22 three times per week?

23 A. Yes.

24 Q. And when you saw the defendant open up the book
25 bag -- open up the packages in the book bag, could you

1 see the white powdery substance, which was the cocaine,
2 and the rocky, lump-like substance, which was the crack,
3 when he opened it up?

4 A. Yes.

5 MR. BENSON: Your Honor, I'm going to object.
6 The basis for the objection is her misidentification of
7 certain of the drugs in my direct examination.

8 THE COURT: Overruled.

9 MR. PRETTYMAN: Thank you, your Honor.

10 BY MR. PRETTYMAN:

11 Q. You would see the cocaine, which is the white,
12 powdery substance and the rocky lump-like substance,
13 which is the crack cocaine, when he would open the
14 packages that came from Linette Crawford over to your
15 residence in the book bag? You would see that about
16 two or three times a week during that time period; is
17 that right?

18 A. Yes.

19 Q. And sometimes you would also see at the close of
20 business or when Mr. Chambers, the defendant, was done
21 selling drugs for the night, him rewrap the packages of
22 cocaine and crack cocaine back up to go in the book bag
23 back to Linette Crawford's; is that right?

24 A. Yes.

25 Q. And if I wrote this down correctly, I think you

1 said that you saw that happen four to five times a week
2 between the two or three times of opening up two or
3 three times seeing him wrap it up? So the total would
4 be four or five times a week?

5 A. That was at the beginning. Near the end, I didn't
6 see it as much.

7 Q. Okay.

8 A. Because I was working.

9 Q. Because you were working you told us?

10 A. Right.

11 Q. Now, when the cocaine would come over, Mr. Benson
12 was asking you about whether before the defendant
13 started cooking the cocaine into crack cocaine, whether
14 crack cocaine was also coming over as part of packages
15 that were wrapped up of the powder cocaine and crack
16 cocaine.

17 And I think you responded that you would see
18 him open it up even before he started cooking himself
19 and cocaine and crack cocaine would be coming from
20 Linette Crawford over to your place in the black book
21 bag to the defendant; is that right?

22 A. Can you rephrase it?

23 Q. Please, if I ever do that again, just stop me and
24 let's make sure we get it right.

25 Before the defendant started cooking the

1 cocaine into the crack cocaine himself at your place, at
2 your residence, did you see the packages of cocaine and
3 crack cocaine come over to your residence that would go
4 to the defendant to sell?

5 A. He would open -- you're talking about --

6 Q. When he opened them.

7 A. Sometimes when he opened it, it might be crack and
8 powder. Sometimes it might just be powder and he'll
9 make crack.

10 Q. But before he started cooking the crack himself at
11 your residence, would it come over all as powder or part
12 as powder cocaine and part as crack cocaine?

13 A. It would come -- powder and crack.

14 Q. And that would still be the sugar boxes that you
15 identified weights that would be coming over per week,
16 based upon what you personally saw with your own eyes;
17 is that right?

18 A. Yes.

19 (Pause.)

20 BY MR. PRETTYMAN:

21 Q. You also testified that you saw the defendant
22 personally cook crack cocaine. Cocaine into crack
23 cocaine at your residence; correct?

24 A. Yes.

25 Q. And that two times before he started cooking that,

1 he had two ladies on separate occasions each try to cook
2 or did cook cocaine into crack cocaine for him; is that
3 correct?

4 A. Yes.

5 Q. When you saw the defendant cook the cocaine into
6 crack cocaine, did you see him put the cocaine in the --
7 was it, you say a mixing bowl?

8 A. Measuring.

9 Q. A measuring cup? Into a measuring cup? The
10 cocaine, the baking soda, heat it up on a burner, turn
11 it into crack cocaine, and then cool it down with ice
12 cubes? Did you see that?

13 A. You forgot water.

14 Q. Water. Correct. Thank you.

15 You personally saw that happen; is that
16 right?

17 A. Yes.

18 Q. And after the two women saw it, or cooked in his
19 presence cocaine into crack cocaine, you saw from about
20 mid-October, a week or two before your birthday, which
21 is October 26th, you saw the defendant cook cocaine into
22 crack cocaine using that method that I just described on
23 a repeated basis; is that correct?

24 A. Yes.

25 Q. And that some nights he would even do it two times

1 a night; is that right?

2 A. Yes.

3 Q. The boxes of baking soda that were the defendant's
4 that were at your residence, did you give those to
5 Detective Sullivan? Detective Liam Sullivan, a Wilmington
6 police officer, in this case? Did you give him what you
7 had left of those?

8 A. Yes, I did.

9 Q. And did you also give him measuring cup, mixing
10 bowl, the other items that you had at your residence that
11 belonged to the defendant that were not seized in the
12 search warrant?

13 A. Yes, I did.

14 Q. And it's your testimony that the defendant cooked
15 four to five times per week once he started cooking, with
16 the understanding that there were two weeks there he was
17 shot and he wasn't doing the cooking or the selling of
18 drugs.

19 But during the time period that we are
20 talking about, he would cook cocaine into crack cocaine
21 the way you described it four or five times per week; is
22 that correct?

23 A. Yes.

24 Q. And you would see him cook the cocaine into crack
25 cocaine. And you would see, when he cooked it, that he

1 would have sugar-box-size quantities of crack cocaine
2 total per week? When you say he's moving two sugar
3 boxes of cocaine and two sugar boxes of crack cocaine
4 per week, you would see him physically cook the cocaine
5 into crack cocaine to give you that number?

6 A. Yes.

7 Q. And you thought during the time period that the
8 defendant was cooking the cocaine into crack cocaine,
9 he would have used three or more boxes of baking soda?
10 I'm sorry. Three or four boxes of baking soda during
11 the whole time period that he was cooking the cocaine
12 into crack cocaine at your residence?

13 A. Yes.

14 Q. Now, you said that the defendant sold weight of
15 crack cocaine, too, besides the little package --
16 packages that were in Government's Exhibit 9 that you've
17 identified as crack? You've seen him sell this size
18 quantities of crack cocaine; is that correct
19 (indicating)?

20 A. Yes.

21 Q. But you also saw him sell weight of crack cocaine
22 to other people; is that right?

23 A. Yes.

24 Q. Okay.

25 What do you describe as weight? What did

1 that look like compared to -- and I know you don't know
2 grams or ounces or whatever.

3 How much -- the sugar box says one pound.

4 What percentage of the sugar box would that have been?

5 A. It would be, like -- sometimes -- it would be like --
6 it might be in the circle form or it might be in the rock
7 form. It might be like the size of this circle
8 (indicating). Different sizes.

9 Q. And you would see the cocaine and the crack
10 cocaine that he would sell?

11 A. Mm-hmm.

12 Q. And they would be sold in bags that you could see
13 through?

14 A. Yes.

15 Q. Now, this has --

16 MR. PRETTYMAN: This is Government's Exhibit
17 10-D.

18 BY MR. PRETTYMAN:

19 Q. Government's Exhibit 10-D has Dr. Dasgupta's
20 initials on it. And I'm hoping I'm going to open this
21 without making a mess. But when the defendant sold it,
22 I mean, was it wrapped so like this, so that you couldn't
23 see it?

24 A. No.

25 Q. And this is the substance that Mr. Benson indicated

1 that you misidentified as crack cocaine. I'm going to
2 open it up and give you a chance to really see it when
3 it's opened.

4 MR. PRETTYMAN: With the Court's permission,
5 may I take what's underneath the water thing there as
6 opposed to getting it all over your counter? Actually,
7 the one here? Would that be okay?

8 THE COURT: All right.

9 (Pause.)

10 BY MR. PRETTYMAN:

11 Q. You can see as I'm opening it some substance is
12 coming out.

13 What does that substance that's coming out
14 look like to you?

15 A. Powder.

16 Q. Does that look like the powder cocaine that you've
17 seen the defendant sell?

18 A. Yes.

19 Q. Now, there are some chunks and there's also some
20 powder cocaine in there. Is that what you see in
21 Government's Exhibit 10-D?

22 And what does -- what does this substance --
23 the substance that breaks off of this look like?

24 A. It's powder. It be like this and then it be hard
25 like that (indicating), and you chop it and make it soft,

1 like this, like it is right there. See how it's soft
2 (indicating)? ?

3 Q. So just by feeling it right there --

4 A. It feel like --

5 Q. You can feel that it breaks off into the type of
6 powder cocaine that you saw the defendant sell; is that
7 correct?

8 A. Yes.

9 Q. And the chunk that you see here, did you see the
10 defendant with chunks of powder cocaine like that, that
11 he would break up?

12 A. Usually, it be big and chop it down.

13 Q. And it would look like this that's in Government's
14 Exhibit 10-D?

15 A. Yes.

16 Q. And he would chop it up?

17 A. Yes.

18 MR. PRETTYMAN: I'm going to hand this to
19 Agent Cobb and he'll fit it back in there, your Honor.

20 THE COURT: All right.

21 BY MR. PRETTYMAN:

22 Q. And the things that you've been talking about
23 when I've been asking you questions, these are things
24 that you personally saw with your own eyes; is that
25 correct?

1 A. Yes.

2 Q. Now, when you talked to the Grand Jury and told
3 them what you knew, and when you talked to the Judge
4 at your plea hearing, did you tell them the truth?

5 A. Yes.

6 Q. And is, in fact, it true that between on or about
7 September 1997 to December 8th, 1997, that you had an
8 understanding or agreement with Linette Crawford and
9 the defendant, Darryl Chambers, for cocaine and crack
10 cocaine to be possessed with intent to be distributed by
11 the defendant in this case? The defendant being Darryl
12 Chambers? Is that true?

13 A. Yes.

14 Q. And did you truthfully tell both the Court and the
15 Grand Jury that the cocaine and crack cocaine that was
16 being distributed there, the amounts that you told us
17 here today, that that belonged to the defendant, Wolfie,
18 to be distributed?

19 A. Yes.

20 Q. And did you also see the defendant hide drugs in
21 the little roof overhang outside your residence so that
22 when people would come up to buy drugs, he would go get
23 it from that roof overhang, the crack cocaine, or the
24 powder cocaine, and then deliver the drugs?

25 Did you see that between September and

1 December 8th, 1997?

2 A. Yes.

3 Q. And did you repeatedly see that? Was that a
4 frequent place that he would use to hide it?

5 A. Yes.

6 Q. Now, during the time that you saw the defendant
7 selling drugs, you would also see him receive the money
8 for the drugs; is that correct?

9 A. Yes.

10 Q. And during these occasions, would you see the
11 defendant either during the course of that evening or
12 during the course of the time that you saw him in
13 possession of, I think the way you described it, was
14 the black guns, like the cops carry?

15 Did you see him carry that?

16 A. I remember him with a gun, but I can't tell you
17 where -- where it was or whatever.

18 Q. And that would be a gun at your residence? He
19 would have a gun at your residence?

20 A. I saw that in my house before.

21 Q. And the two guns that the police seized that night
22 at your residence, they didn't belong to you or your
23 children?

24 A. Right.

25 Q. Or anyone else that lived there, that you knew

1 about?

2 A. No.

3 Q. And, in fact, all the drugs, the cocaine, the crack
4 cocaine, the guns, the scales, all the things that were
5 seized during this search warrant didn't belong to you,
6 the search warrant of December 8th, 1997, or your
7 children; is that correct?

8 A. Yes.

9 Q. Now, you entered a plea agreement with us, the
10 Government, that is, and you entered that plea agreement
11 in front of Judge McKelvie. Do you remember doing that,
12 when you pled guilty?

13 A. Yes.

14 Q. And during the course of that plea, there was a
15 stipulation in your plea agreement that you and your
16 attorney signed and I signed and we presented to the
17 Judge, in which you indicated that the approximate amount
18 of cocaine and crack cocaine that you believe was
19 involved with Darryl Chambers, Linette Crawford and you,
20 when the crack cocaine was coming back and forth, was
21 10 kilograms of cocaine and 10 kilograms of crack
22 cocaine.

23 Do you remember that?

24 A. Yes.

25 Q. Did anything that Mr. Benson asked you today

1 change your opinion as to that is the weight of drugs
2 that were involved in connection with your conspiracy,
3 your understanding, agreement with Darryl Chambers,
4 Linette Crawford?

5 Did he say anything or did your response to
6 any question either he or I asked change that weight of
7 drugs that you testified to and you put in your plea
8 agreement?

9 A. No.

10 Q. And Mr. Benson asked you questions about the
11 possibility of the cocaine and crack cocaine going back
12 and forth from Linette Crawford's house to your place
13 and sometimes it being the same drugs. Do you remember
14 when he asked you about that?

15 Did you physically see with your own eyes
16 him cook the cocaine and the crack cocaine so that you
17 know that it was two pounds per week that he was cooking
18 of cocaine and crack cocaine during the time periods
19 we've been talking about?

20 A. I saw it with my eyes.

21 Q. And did anybody tell you what to say?

22 A. No.

23 Q. Is there anything that you want to change here
24 about anything that you testified today?

25 A. No.

1 Q. Is it all the truth, to the best of your
2 recollection?

3 A. Yes.

4 MR. PRETTYMAN: May I have a moment, please,
5 your Honor?

6 THE COURT: All right.

7 (Pause.)

8 MR. PRETTYMAN: Thank you, your Honor. I have
9 no further questions.

10 THE COURT: All right.

11 MR. BENSON: Your Honor, I'd like to ask a
12 couple questions.

13 THE COURT: All right.

14 REDIRECT EXAMINATION

15 BY MR. BENSON:

16 Q. Miss Bullock, you were asked in front of the Grand
17 Jury if you ever saw Darryl with a gun when he had drugs.
18 Do you remember that?

19 A. I know they asked me that, yes.

20 Q. And what was your answer?

21 A. I can't tell you. I don't remember.

22 Q. Well, let me ask you.

23 A. I know I saw him with the gun, but I couldn't tell
24 you if he had drugs or whatever. I saw the gun before.

25 Q. Well, let me ask you the question now: Did you

1 ever see Darryl with a gun when he had drugs?

2 A. I don't remember.

3 Q. Okay.

4 Well, if I suggest to you at your Grand
5 Jury testimony you said no, would that help refresh your
6 recollection?

7 A. No, I won't. I don't remember.

8 Q. You don't remember?

9 Well, as Mr. Prettyman asked you, do you
10 think your memory was better then, in front of the
11 Grand Jury, than it is today, now?

12 A. Yes.

13 Q. Now let me ask you another question: You talked
14 about 10 keys of crack and 10 keys of powder. How many
15 pounds would that be? How many sugar boxes are you
16 talking about? How many of these (indicating) would
17 that be equal to?

18 A. I don't -- I couldn't tell you.

19 Q. Well, you know, you're testifying under oath today,
20 and you have done it before, that Darryl had 10 keys of
21 powder and 10 keys of crack. I'm saying, how much is
22 that?

23 A. All I know is I saw four of those sugar boxes and
24 he made them -- he made two into crack. I can't tell
25 you, like, if it was -- I don't know, like -- we could

1 call it a key or whatever you was just saying. I
2 couldn't tell you.

3 Q. Well, when Mr. Prettyman asked you, under oath, is
4 your testimony the same today as it was then, when you
5 entered your guilty plea in front of this Judge, whether
6 or not Darryl was -- had 10 keys of crack and 10 keys of
7 powder, you said yes. Now you're saying you don't know?

8 What is your answer?

9 A. I don't know.

10 Q. So, then, when you answered Mr. Prettyman, you
11 weren't telling the truth?

12 A. Yes, I was.

13 Q. Well, was it 10 keys?

14 A. I don't remember. Back then, I remember -- it had
15 been seven months since then. Almost seven months. All
16 I know is I saw it on four boxes. The sugars.

17 Q. And you said four of these a week (indicating).
18 For how many weeks?

19 A. Four or more.

20 Q. Four pounds in four weeks; right? That's 16
21 pounds.

22 A. Can you say that again?

23 Q. You said four or more pounds a week, or four pounds
24 a week for four or more weeks; is that right?

25 A. Yes.

1 Q. Now, are you sure of that?

2 A. Yes.

3 Q. And that would be equal to about 16 pounds; right?

4 A. I don't know.

5 Q. Well, four of these (indicating) -- one of these is
6 a pound?

7 A. Mm-hmm.

8 Q. So four of these would be four pounds?

9 A. Mm-hmm.

10 Q. Four times four, do you know what that is?

11 A. 16.

12 Q. So that's 16 pounds?

13 A. Mm-hmm.

14 Q. And you know that 2.2 pounds is equal to one key?

15 Let me suggest to you that about two pounds is equal to
16 a key.

17 So if that's -- if that's right, if two pounds
18 is equal to a key, and there were 16 pounds, can you
19 divide two into 16? Are you able to do that? I don't
20 mean to insult you. I'm asking you honestly, what is
21 2 into 16?

22 A. Eight.

23 Q. So that's 8 keys, isn't it, approximately?

24 A. Yes.

25 Q. Well, I'm using your figures.

1 A. Yes.

2 Q. That's 8 keys. That's not 20 keys. Didn't you
3 just say under oath, swear to God, that it was 10 keys
4 of crack and 10 keys of powder?

5 A. Yes.

6 Q. Isn't that 20?

7 A. Yes.

8 Q. Isn't it?

9 A. Yes.

10 Q. Aren't you now telling me it's 8?

11 A. All I -- all I know is I saw them four boxes. I
12 don't know about keys and all that. All I know is what
13 I saw and I don't know the math, so I couldn't tell you
14 if it was 10 keys, whatever.

15 Q. But you swore to God, under oath, that it was 10
16 keys, Ms. Bullock.

17 A. Don't four make -- if them four makes 10 keys,
18 then that's what it is. Whatever them four -- all I
19 know is the sugar boxes. I never said --

20 Q. You said four sugar boxes --

21 A. Right.

22 Q. -- a week?

23 A. Right.

24 Q. That's less than two keys; all right? That's less
25 than two keys.

1 How many weeks? Four weeks, six weeks? I

2 mean, I don't know. You know.

3 A. I said four or more. I'm not sure.

4 Q. How many is four or more? Six?

5 A. It could be six or more. I don't really know.

6 Q. The problem is that, based on your testimony, that
7 will dictate how long this man spends in jail. That's
8 what you've got to know. So when you start throwing
9 numbers out, it's years in his life.

10 Now, you've got to think about this. Now,
11 this is a quarter-key, I'm telling you (indicating).
12 You're saying that he cooks up four of these, which is
13 equal to a pound? I'm sorry. This is a quarter-pound.
14 Four of these is equal to a pound. 8 of these would
15 be about a key.

16 Now, is that what he was doing? 8 of these
17 a week? 16 of these a week? 16 of these he would cook
18 up? Is that how many would be delivered by Linette?

19 A. I couldn't tell you. All I know is what I saw
20 and I can't --

21 Q. But the problem is you're changing what you see
22 based on who's asking you the question. Don't you see
23 that?

24 (Pause.)

25

1 BY MR. BENSON:

2 Q. Now, do you know what crack is? Do you know what
3 it is?

4 A. I know how it look, yeah.

5 Q. And you say you saw crack. You saw Darryl
6 selling crack outside the house?

7 A. Yes.

8 Q. And you were saying that he was selling two pounds
9 of crack a week? Two pounds? How much would he sell it
10 for?

11 A. I don't know.

12 Q. You don't know what he sold it for, but you know
13 how much he sold it?

14 A. Yes.

15 Q. Well, you said he was dealing weight. How much
16 weight is weight? You said a circle.

17 A. It would be like different size. It might be --
18 it's like when you cook it up, it turns out different
19 ways. Sometimes it --

20 Q. Would he sell weight like this, quarter-pound
21 (indicating)?

22 A. It --

23 Q. Four ounces of crack?

24 A. Would it look like that?

25 Q. I don't know. I'm asking you.

1 A. Sometimes it might be like a big rock, like a
2 circle.

3 Q. How big? How much would it weigh? Would you ever
4 pick it up?

5 A. I never weighed nothing.

6 Q. I mean, when you say big rock, would you like to
7 have a diamond ring that size?

8 A. Big. It was -- it was like --

9 Q. Sugar box?

10 A. It would be like -- let me see. It would be
11 like -- say a circle like this.

12 Q. Yes?

13 A. And a rock.

14 Q. How thick?

15 A. Sometimes it would be thick. It depends. Sometimes
16 it would be flat.

17 Q. How much would he sell it for?

18 A. I couldn't tell you.

19 Q. You said you saw him have \$3600 worth of money in
20 his pocket.

21 A. Mm-hmm.

22 Q. You say he had a bag full of money one day. Do
23 you know how much was in that bag?

24 A. I don't know.

25 Q. Did you ever see him have 10 or 15 thousand

1 dollars?

2 A. No.

3 Q. \$20,000?

4 A. All I know is --

5 Q. I'm asking you a question. Did you ever see
6 \$20,000? I can't hear you.

7 A. I didn't say nothing. I'm thinking. I didn't see
8 20.

9 MR. BENSON: I have nothing further, your
10 Honor.

11 THE COURT: All right. I'm going to take
12 about a ten-minute recess. And I take it this witness
13 is excused and then we'll call Linette Crawford;
14 correct?

15 MR. PRETTYMAN: Yes.

16 (Witness excused)

17 - - -

18 MR. BENSON: Judge, how long are you going
19 tonight, if I may ask? We can go as long as --

20 THE COURT: I don't know. What do you think?
21 4:30, 5:00 o'clock?

22 MR. BENSON: I would like to try and finish
23 with her. I don't expect her to be as long as this.

24 THE COURT: Why don't we go and see how far
25 we get?

Crawford - direct

191

1 MR. BENSON: Okay.

2 (Short recess taken.)

3 - - -

4 (Court resumed after the recess.)

5

6 THE COURT: All right. Ready to proceed.

7 - - -

8 ... LINETTE CRAWFORD, having been

9 duly sworn as a witness, was examined

10 and testified as follows...

11 DIRECT EXAMINATION

12 BY MR. BENSON:

13 Q. Miss Crawford, you're presently incarcerated; is
14 that right?

15 A. Yes.

16 Q. And you made a deal with the Government to testify
17 against Darryl Chambers in this matter?

18 A. Yes.

19 Q. Okay.

20 And what's the basis for the deal?

21 A. When you said did I make a deal, as far as what?

22 Q. Well, you agreed to testify against Darryl? In
23 order to get some favorable consideration by the Judge?

24 A. Oh, no.

25 Q. You didn't?

1 A. No.

2 Q. So you don't have any understanding with the
3 Government that if you testify against Darryl, that the
4 Government would make a recommendation for a downward
5 departure from your sentence?

6 A. Oh, I do have that, yes.

7 Q. Well, what do you think that's called?

8 A. Well, I didn't understand what you were saying.

9 Q. Okay.

10 That's a cooperation agreement.

11 A. Okay.

12 Q. So you have that?

13 A. Yes.

14 Q. And you've done that; is that not correct?

15 A. Yes.

16 Q. Have they promised you anything specifically?

17 A. No.

18 Q. But you understand that if you testify today, that
19 the Government will make a favorable recommendation to
20 the Judge?

21 A. Yes.

22 Q. How long have you known Darryl Chambers?

23 A. Say about eight years.

24 Q. How about Faye Bullock?

25 A. Maybe three or four years.

1 Q. Okay.

2 A. No. No. It's longer than that.

3 Q. Longer than that?

4 A. Yes.

5 Q. Would you consider Faye a friend of yours?

6 A. Yes.

7 Q. Sometime in July of 1997, you and Darryl entered
8 into an understanding concerning drugs?

9 A. Yes.

10 Q. And what was that understanding?

11 A. For me to hold it.

12 Q. Okay.

13 And that happened in July of 1997?

14 A. Near the end of July or August.

15 Q. Okay.

16 A. I mean the end of July, early August.

17 Q. So it could have been as late as August of '97; is
18 that right? Late July or early August?

19 A. Yes.

20 Q. And how did that agreement come about?

21 A. He just asked me. I was like hot out, and the cops
22 was out, can I hold it, and I did. And then later on I
23 took it back to him. And then --

24 Q. Okay.

25 Well, let's back up a minute. You didn't

1 understand what I just said?

2 A. You said what was the agreement.

3 Q. I said let's back up for a second.

4 A. Yes.

5 Q. You saw him on the street one day in late July or
6 early August?

7 A. I always see him, yes.

8 Q. And was he selling drugs that day or did he have
9 drugs on him that day?

10 A. I don't know if they was on him.

11 Q. Okay.

12 But at some point that day, this particular
13 day, he asked you if you would hold drugs for him?

14 A. Yes.

15 Q. And did he hand you drugs to hold for him?

16 A. Yes.

17 Q. And how did he hand them to you? Were they in a
18 bag or in a container? In a duffel bag?

19 A. No. It was just -- it was wrapped up.

20 Q. It was wrapped up?

21 A. Yes.

22 Q. In gray tape?

23 A. Yes.

24 Q. And did you -- what did you do with the drugs?

25 A. I took it to my house.

1 Q. Okay.

2 And how long did you hold it there?

3 A. Maybe a couple hours.

4 Q. And then what happened? You brought it back to
5 him?

6 A. Yes.

7 Q. Did he give you anything for that?

8 A. No.

9 Q. When was the next time that you got involved with
10 holding drugs for Darryl?

11 A. As in a constant time or just the next time?

12 Q. The next time.

13 A. Maybe sometime in August.

14 Q. Do you know if it was the middle or the end of
15 August?

16 A. I'm not sure.

17 Q. Okay.

18 And, again, the same situation? He asked you
19 to hold certain drugs for him?

20 A. Yes.

21 Q. Did he see you on the street or did he call you up
22 or did he page you? How did that all happen?

23 A. He seen me.

24 Q. Saw you on the street. And what did he say to you?

25 A. Can I hold this?

1 Q. And what was it?

2 A. Drugs.

3 Q. I mean, was it a large quantity?

4 A. No.

5 Q. Small quantity?

6 Would you characterize it as ounces of drugs?

7 A. I don't know the weights.

8 Q. Were you able to put it in your pants or in your
9 bag? Where did you keep it?

10 A. In my hand.

11 Q. In your hand?

12 A. Yes.

13 Q. Did you try to hide it or put it somewhere?

14 A. At my house.

15 Q. No. I mean, you carried it in your hand?

16 A. No. I put it in my car.

17 Q. On the seat?

18 A. Just under the seat.

19 Q. Under the seat. And how long did you hold it
20 that time?

21 A. Maybe a couple hours.

22 Q. Okay.

23 Were you able to see the drugs and see what
24 kind they were? Do you know what it was?

25 A. It was wrapped up.

1 Q. So the answer is you don't know what kind of drugs
2 they were?

3 A. He said it was cocaine.

4 Q. I understand.

5 So it was cocaine as far as you know?

6 A. Yes.

7 Q. But you didn't see the cocaine. You did not taste
8 the cocaine? None of those things?

9 A. No.

10 Q. But because in your mind Darryl sells cocaine,
11 you're saying it was cocaine?

12 A. It was cocaine.

13 Q. Well, how do you know it was cocaine?

14 A. Because he asked me to hold it. And when I bring
15 it back to him, usually he unwraps it out of the duct
16 tape.

17 Q. That's what I'm asking you.

18 A. Okay.

19 Q. So he unwrapped it in front of you?

20 A. Not this time, but others.

21 Q. That's what I'm asking you. So this time you
22 don't know what it was?

23 A. No.

24 Q. Okay.

25 At some point you started delivering drugs

1 to Faye Bullock's house?

2 A. Yes.

3 Q. Do you remember when that was?

4 A. Around --

5 Q. Well --

6 A. September.

7 Q. Okay.

8 Let me -- do you know when in September?

9 A. No. It was football season.

10 Q. I understand. And football season is today?

11 A. For the little kids.

12 Q. Okay.

13 If I suggest to you that Faye may have
14 testified it was in the latter part of September that
15 you started coming to the house, is that possible?

16 With the drugs, I mean.

17 A. Can you say that again?

18 Q. Is it possible that it was in the latter part of
19 September, later on in September, that you started
20 coming to the house with drugs for Darryl?

21 A. I'm not sure.

22 Q. So it's possible?

23 A. Yes, it's possible.

24 Q. Okay.

25 How did you get those drugs to be able to

1 deliver them to Darryl? Where did they come from?

2 A. They came from him.

3 Q. All right.

4 So now explain to me how that works.

5 A. When -- you're talking about when I was starting
6 to take it to Faye's house?

7 Q. Yes.

8 A. He would bring it to me at night or sometime I
9 would take it from my house to Faye's house.

10 Q. It started out Darryl would come to your house
11 with some drugs?

12 A. No. It started out the first time I seen him in
13 Riverside.

14 Q. I understand. I mean the first time you went to
15 Faye's house.

16 A. The first time I went to Faye's house and started
17 doing it at Faye's house?

18 Q. Yes.

19 A. I would bring it from football practice --

20 Q. Darryl would bring it?

21 A. Yes.

22 Q. How did he bring it? In what container?

23 A. In what container?

24 Q. Yes. Was it in a bag? Was it in a shoe box? Was
25 it just wrapped --

1 A. Wrapped up. In one occasion it was in a white,
2 like a clear shopping, white shopping --

3 Q. White shopping bag?

4 A. Yes.

5 Q. You didn't know anything about the weight or
6 anything like that?

7 A. No.

8 Q. Was it wrapped in something similar to this?

9 A. Yes.

10 Q. Does this look like a peanut to you?

11 A. Yes.

12 Q. Okay.

13 When you described the drugs that you were
14 delivering to Darryl to the agents in this case after
15 you were arrested, is this what you were talking about
16 (indicating)?

17 A. It was a little bit bigger.

18 Q. A little bit bigger?

19 A. Yes. But that's the shape, the me peanut shape.

20 Q. When you say a little bit bigger?

21 A. It was like this.

22 Q. Was it four times as big?

23 A. No. About...

24 MR. BENSON: May I approach the witness,
25 your Honor?

1 THE COURT: All right.

2 BY MR. BENSON:

3 Q. Just take a look at that. You can pick it up, if
4 you'd like.

5 A. A little bit bigger on both sides.

6 Q. Just a little bit bigger on both sides? Was it thin
7 in the middle?

8 A. Yes.

9 Q. It was thinner in the middle?

10 A. Yes.

11 Q. But bigger on the ends?

12 A. Yes.

13 MR. PRETTYMAN: I'm sorry, your Honor.

14 Thinner than this or thinner than -- on the ends and on
15 the --

16 THE WITNESS: Oh. You talking to me?

17 MR. PRETTYMAN: I'm asking Mr. Benson
18 clarify that or the witness be given an opportunity to
19 clarify it, because I'm not sure --

20 MR. BENSON: It's pretty clear to me, but I
21 will certainly help the Government understand it better.

22 THE WITNESS: What I'm saying about, it's
23 thin in the middle. It was shaped like a Planter's
24 peanut.

25

1 BY MR. BENSON:

2 Q. Right. Like this.

3 A. Where it's big and then it gets like that in the
4 middle.

5 Q. I think your testimony to the officer was that it
6 was about three or four inches on the ends or maybe two
7 or three inches on the ends and then going down to about
8 an inch in the middle? Do you remember that?

9 A. I drewed (sic) a picture.

10 Q. You drew a picture. Yes.

11 (Pause.)

12 BY MR. BENSON:

13 Q. Is this the picture you drew?

14 A. I can't see that far.

15 Q. Let me come a little closer (handing exhibit to
16 the witness)?

17 A. See this right here?

18 Q. Yes. What does that mean?

19 A. That's a peanut.

20 Q. Is this the picture you drew is my question?

21 A. Yes.

22 Q. Now, there are two lines, as you can see. One is
23 about an inch away from the other one.

24 A. When I drew that picture, at occasion, it was
25 shaped, the outside one, and then the middle one,

1 because they asked me, what is a peanut? What do I mean
2 by a peanut? And I drew it.

3 Q. Now, explain to me again what you just said. What
4 do the two lines mean?

5 A. There's two. They asked me to draw the peanut.

6 Q. Yes.

7 A. They asked me what I did mean by peanut, so I asked
8 for a piece of paper.

9 Q. Right.

10 A. And I drewed (sic) the peanut.

11 Q. So you drew both of these lines?

12 A. Yes, I did.

13 Q. Okay.

14 And in your mind, what is the distance from
15 this line to this line (indicating)?

16 A. I have no idea.

17 Q. Well, you're saying that this is about the size,
18 maybe a little bigger on the end, but thinner in the
19 middle; is that right?

20 A. I told them that this right here, the one on the
21 outside --

22 Q. Yes.

23 A. -- I seen one that size (indicating).

24 Q. Okay.

25 You saw one that size in

1 A. Yes.

2 Q. And what --

3 A. On all the other occasions, when I put it -- it
4 was like this, on the other occasions.

5 Q. I understand.

6 So this is two different peanuts?

7 A. Yes.

8 Q. How often did you see the peanut the size of the
9 outside line?

10 A. Once.

11 Q. One time only?

12 A. Yes.

13 Q. And how often would you see the inside peanut?

14 A. All the time.

15 Q. Okay.

16 Would you characterize this as being the --

17 A. No.

18 Q. No what?

19 A. That's not the one. I wouldn't characterize that
20 as that.

21 Q. As what?

22 A. The inside peanut.

23 Q. Is this the outside peanut?

24 A. No. Listen.

25 Q. I'm listening.

1 A. The one in your hand, the peanut was a little
2 bigger.

3 Q. Yes.

4 A. I just drewed (sic) the peanut. I didn't draw
5 saying that was the size of the peanut. I just drewed
6 (sic) the peanut, because they didn't understand what
7 I was talking about when I kept saying peanuts, because
8 I don't know what kilograms and ounces and all that.

9 Q. I understand.

10 My question is: Is this about the size that
11 you were talking about?

12 A. A little bigger.

13 Q. The inside one was a little bigger?

14 A. No. The peanuts -- no. The peanuts that I always
15 see --

16 Q. Yes?

17 A. -- it's a little bigger than the one in your hand.

18 Q. Okay. That's the inside line.

19 And you say a little bit bigger?

20 A. Yes.

21 Q. Not four times that size?

22 A. No.

23 Q. Not even twice that size?

24 A. Maybe twice. But not four times.

25 Q. Okay.

1 Now, when did you start delivering these
2 peanuts, as you referred to them, to Faye's house? You
3 said September?

4 A. Yes.

5 Q. And it could have been the latter part of
6 September, later on in September?

7 A. I'm not sure.

8 Q. Okay.

9 And you would get the drugs from -- the first
10 time you would get the drugs from Darryl, he would drop
11 them off at your house?

12 A. No.

13 Q. No?

14 A. I got -- the first time I got them from him.

15 Q. Yes.

16 A. He didn't bring them to my house.

17 Q. Okay of.

18 And then did he give you them in a container,
19 like a book bag?

20 A. No. He gave them to me wrapped in --

21 Q. Okay.

22 A. -- the duct tape.

23 Q. And who put them in the container, into the book
24 bag?

25 A. I had gave him a book bag --

1 Q. Okay.

2 A. -- at first.

3 Q. Right?

4 A. It was a yellow, blue and white book bag.

5 Q. Okay.

6 And were you transporting the drugs in that
7 book bag for a while?

8 A. Yes, because I wasn't just going to carry them out
9 like that.

10 Q. Sure.

11 And how did the system work? He would --
12 he would beep you or page you and then you --

13 A. He will see me --

14 Q. See you?

15 A. Yes.

16 Q. And then what?

17 A. And I will get it from him and take it to my
18 house. Put it under my car seat when I go to my house.

19 Q. All right.

20 A. And then I will go to my house. Then a couple
21 hours later, I will take it to him.

22 Q. To Faye?

23 A. To Wolfie. In the beginning, Faye had nothing to
24 do with it.

25 Q. I understand. I'm talking about when you got to

1 Faye.

2 A. When I came down to Faye?

3 Q. Yes.

4 A. Sometimes I would give it to him at the football
5 field, when I dropped my son off for football.

6 Q. Right.

7 A. And then other times I would -- the night before
8 he'd bring them to my house.

9 Q. Right.

10 A. And then --

11 Q. How many peanuts would he bring to your house the
12 night before?

13 A. How many peanuts would he bring to my house the
14 night before?

15 Q. Yes.

16 A. I did not look in the bag all the time.

17 Q. Okay.

18 Did you ever look in the bag?

19 A. Yes.

20 Q. And when you looked in the bag those occasions,
21 how many peanuts would you see?

22 A. The four days a week occasions?

23 Q. I'm sorry?

24 A. Through the days of one.

25 Q. I'm not following you.

1 A. You said through the occasions, how many times I
2 see the peanuts?

3 Q. Yes.

4 A. In the bag? When I look in the bag.

5 Q. No. Listen to me.

6 What I asked you was: When you looked in
7 the bag, how many peanuts would you see in the bag?

8 A. I'd see a big peanut.

9 Q. One big peanut?

10 A. And a couple little teeney.

11 Q. And a couple smaller ones. Smaller than this?

12 Did you know what the peanut consisted of?
13 What drugs it was?

14 A. Yes.

15 Q. What was it?

16 A. Cocaine.

17 Q. Okay.

18 And then you would take that up to Faye's
19 house at some point?

20 A. Mm-hmm.

21 Q. And what would happen? Would you stay at Faye's
22 house?

23 A. Not all the time.

24 Q. How often would you say Faye's house?

25 A. Maybe two or three times.

1 Q. Okay.

2 Two or three times a week?

3 A. Yes.

4 Q. All right.

5 And what time would you normally get there?

6 A. What time? Around -- it would be after 6:30.

7 Q. And what time would you -- when you stayed and then
8 you left, what time would you typically leave?

9 A. I'm not sure.

10 Q. Like 8:00, 9:00 o'clock kind of thing, or 11:00 or
11 12:00?

12 A. No. 8:00 or 9:00.

13 Q. 8:00 or 9:00?

14 A. Not no 11:00, 12:00.

15 Q. Okay.

16 And Faye would sit with you? You guys
17 would talk?

18 A. Yes.

19 Q. And would Wolfie be there?

20 A. Sometimes.

21 Q. Most times?

22 A. Most times.

23 Q. Okay.

24 You indicated in a statement that you were
25 present on two occasions when Wolfie cooked up some

1 crack; is that right?

2 A. Yes.

3 Q. Do you remember that?

4 A. Yes.

5 Q. Okay.

6 When was the first time that you remembered
7 him cooking up crack?

8 A. Around -- I'm not sure. October.

9 Q. Okay.

10 Do you know when in October?

11 A. No.

12 Q. Now, Faye is a friend of yours; right?

13 A. Yes.

14 Q. Her birthday is October the 26th?

15 A. Yes.

16 Q. Okay?

17 Would it have been around her birthday, the
18 first time?

19 A. It was before her birthday.

20 Q. Okay.

21 Do you know how much before her birthday?

22 A. I'm not sure.

23 Q. When you say not sure, you're talking about a week
24 or two or you don't know?

25 A. I'm not sure.

1 Q. But it was in October?

2 A. Yes.

3 Q. So the first time that Wolfie was involved in
4 cooking crack would have been in October?

5 A. From what I've seen.

6 Q. From what you saw?

7 A. Yes.

8 Q. Exactly.

9 Do you know the quantity of the crack that
10 he cooked up that one time that you were there?

11 A. No.

12 Q. Were you in the kitchen at all when it was
13 happening?

14 A. I was sitting in the dining room part.

15 Q. Okay.

16 And could you see the kitchen from the
17 dining room?

18 A. Yes.

19 Q. And were you watching him cook it up?

20 A. No.

21 Q. So you weren't paying attention to what he was
22 doing?

23 A. One time I was paying attention. The other time
24 I left.

25 Q. The first time were you paying attention or the

1 second time?

2 A. I'm not sure.

3 Q. But one of the two times that you saw it, you
4 were paying attention?

5 A. Yes.

6 Q. Do you remember that time how much he was cooking
7 up?

8 A. I don't know the weights of it.

9 Q. Well, how many times did he cook it that one time
10 you were paying attention?

11 A. Once.

12 Q. One time?

13 A. Yes.

14 Q. How long did it take to cook it up?

15 A. I'm not sure. I didn't time him.

16 Q. But it was only one time the one day?

17 A. Yes.

18 Q. Then the time you weren't paying attention, do
19 you remember if he cooked it more than once?

20 A. No. I left.

21 Q. Okay.

22 You left while he was cooking it?

23 A. Yes.

24 Q. And why did you leave?

25 A. Because it stinks. It gives me a headache.

1 Q. And how long does the smell stay? Do you know
2 anything about that?

3 A. No.

4 Q. Now, the other times that you had been to the house,
5 and you're sitting around with Faye and Wolfie, did you
6 ever smell the crack cooking or had you ever -- did you
7 smell anything that smelled like he had been cooking
8 crack cocaine? Do you understand the question?

9 A. No. Rephrase, please.

10 Q. Well, basically, I'm asking you, did you ever --
11 were you ever in Faye's house when it smelled like
12 cocaine had been cooked?

13 A. I never knew how cocaine smelled.

14 Q. Well, you said you were there --

15 A. Yes, until that day.

16 Q. Well, that's what I'm saying. Had you been there
17 after that day, when it smelled like there had been
18 cocaine being cooked?

19 A. No.

20 Q. So that's the only two times?

21 A. Yes.

22 Q. Did Faye ever say anything to you about Wolfie
23 cooking crack cocaine?

24 A. Yes.

25 Q. What did she say to you?

1 A. That he's cooking it up in her house.

2 Q. This was after the two times that you were there?

3 A. It was before then.

4 Q. Before then?

5 Did she say anything after that, that he was
6 still cooking the drugs?

7 A. She always said it.

8 Q. What did she say?

9 A. That he down there cooking that up.

10 Q. And did she say the quantity that he was cooking?

11 A. No.

12 Q. All right.

13 Did you understand anything about quantity?

14 A. No.

15 Q. Now, as I understand it, Wolfie would be selling
16 the drugs out of Faye's house. You would be there
17 three -- a couple, three nights a week, staying there.
18 In addition to that, you would sometimes go drop off
19 drugs and then leave?

20 A. Yes.

21 Q. How often would you be dropping the drugs off in
22 any given week?

23 A. About four times a week.

24 Q. Four times a week?

25 A. Yes.

1 Q. So three of those times you would stay, talk to
2 Faye, Darryl, whatever. One time, maybe one time you
3 would leave? Just drop it off and leave? Is that
4 about right?

5 A. It could be more than one time.

6 Q. Okay.

7 But it's about four times. So two or three
8 you would stay?

9 A. Four times is when -- four times a week when he
10 bring it to me, I drop it off.

11 Q. I didn't.

12 A. But four times, I might not stay at all. Just
13 because I'm dropping it off don't mean I have to say.

14 Q. I understand. I thought you testified that you
15 would stay two or three nights a week a couple hours,
16 talk to Faye, whatever, Darryl?

17 A. Not all the time. Every week there is difference.

18 Q. Yes.

19 A. If I'm tired from working, I won't stay there. I'll
20 go home.

21 Q. Sometimes it might be twice, some weeks it may be
22 three times?

23 A. Yes.

24 Q. Some weeks maybe none.

25 A. It was never none.

1 Q. It was some -- some times?

2 A. Yes.

3 Q. Okay.

4 Faye testified, I believe, it was about 90
5 percent of the times you would stay?

6 A. No.

7 Q. It was less than that?

8 A. Yes.

9 Q. Okay.

10 Now, at the end of the night, after Darryl
11 was done his business, he would come back to your house
12 and drop off the drugs?

13 A. Yes.

14 Q. What would happen after that? In other words, he
15 would drop off this bag that had drugs in it?

16 A. Mm-hmm.

17 Q. Would you see him again the next night?

18 A. It was -- it could have varied every week.

19 Q. Well --

20 A. But I know it was four times a week.

21 Q. No, no. Listen to me. You drop off -- well, let
22 me rephrase this.

23 When you would drop off drugs to Faye's house
24 for Darryl --

25 A. Mm-hmm?

1 Q. How many peanuts would be in the bag usually, if
2 you know? If you know?

3 A. Like I told you, that occasion I looked in, there
4 was the peanut and then a couple of them --

5 Q. Small?

6 A. Yes.

7 Q. But not peanuts, small bags?

8 A. It was a peanut?

9 Q. Yes?

10 A. And then a couple of them small -- just little
11 teeney --

12 Q. Not bags, though?

13 A. They were wrapped up in duct tape.

14 Q. Small ones, though. Real small?

15 A. Not real small, but not real big.

16 Q. Well, were they smaller than this?

17 A. Turn it the other end. Like the end.

18 Q. Like this end only?

19 A. Yes.

20 Q. Okay.

21 And there were how many of these? This end
22 (indicating)?

23 A. At the most I've seen was like four.

24 Q. Four of the small ends?

25 A. Yes.

1 Q. And then one --

2 A. Peanut.

3 Q. -- peanut.

4 You would drop that off and then at night
5 Darryl would come back, drop the bag off to you?

6 A. Mm-hmm.

7 Q. Then you would put the bag someplace in your
8 house?

9 A. Yes.

10 Q. Then what would happen the next night?

11 A. Sometimes he'd call and say, can I bring it to him,
12 and sometimes he'd say, Well, I will just come get it.

13 Q. The question I guess, is: Did he ever come back
14 to your house with more drugs to replenish those drugs
15 that were in the bag?

16 A. No.

17 Q. Well, how did you get more drugs from him?

18 A. How did I get more drugs from him?

19 Q. Yes.

20 A. When he dropped the bag off.

21 Q. I understand. I mean, you dropped off a peanut
22 and three or four round balls of drugs?

23 A. Mm-hmm.

24 Q. That was in a bag?

25 A. Yes.

1 Q. That's what you believe? Sometimes you didn't look
2 in, sometimes you did. Sometimes Faye looked in,
3 sometimes she didn't; right?

4 A. I'm not sure what Faye did.

5 Q. She never looked in the bag when you were there?

6 A. I don't know.

7 Q. You never saw her look in the bag?

8 A. Never saw her look in the bag.

9 Q. Okay. Fine.

10 So Darryl does whatever he's going to do. And
11 he comes back and hands you the bag back?

12 A. Right.

13 Q. You don't look in the bag?

14 A. Not all the time.

15 Q. Sometimes you did?

16 A. Yes.

17 Q. Were there usually less drugs in the bag than when
18 you gave him the bag to begin with?

19 A. I don't weigh anything.

20 Q. Not weighing, looking.

21 A. I don't always look in the bag.

22 Q. When you looked in the bag?

23 A. It would be the same thing.

24 Q. Well, I guess my question is: Do you remember
25 looking in the bag before you dropped it off to Darryl

1 at Faye's house and then that same night, when he
2 brought the bag back, looking in the bag?

3 A. When he bring the bag back, I go back to bed.

4 Q. Okay.

5 So you never looked in; is that right?

6 A. At times when he'd drop it off at night, I go to
7 bed.

8 Q. So you never looked in the bag?

9 A. At night? No.

10 Q. Did he ever come back to the house the next day or
11 the day after and bring more drugs that he put in the
12 bag?

13 A. Can you say that again?

14 Q. Well, he would return the drugs to your house,
15 those drugs that were not sold that night at Faye's
16 house; right?

17 A. Yes.

18 Q. Did he ever, the next day or the day after, bring
19 you more drugs to be put in the bag so that when he
20 beeped you or paged you, you would bring him more drugs?
21 Bring him the drugs?

22 A. Are you saying does he bring drugs in his hand to
23 put in the bag?

24 Q. Yes. Yes. That's what I'm saying.

25 A. No.

1 Q. Well, how do the drugs get in the bag for you to
2 take up to him?

3 A. He put them in a bag.

4 Q. When does he do that?

5 A. When does he put the drugs in the bag?

6 Q. Yes.

7 A. When I drop the bag off, the bag is there.

8 Q. I understand.

9 A. And he brings the bag back.

10 Q. I understand.

11 So when do the drugs get in the bag? He's
12 using the bag and selling drugs?

13 A. Yes.

14 Q. And he brings you the bag back?

15 A. Yes.

16 Q. So when does he give you the drugs to put back in
17 the bag?

18 A. I don't touch any drugs to put back in the bag.
19 Those are his drugs.

20 Q. Do you know where he gets the drugs?

21 A. No.

22 Q. The first time he gave you a bag that had drugs in
23 it --

24 A. Mm-hmm?

25 Q. -- since that time, he has been giving you a bag

1 at the end of his business and there has been drugs in
2 it?

3 A. Yes.

4 Q. And he replaces those drugs, doesn't he? Doesn't
5 he bring you more drugs to put in the bag? Doesn't he
6 keep drugs at your house?

7 A. Yes.

8 Q. Okay.

9 The night that you were arrested, did you --
10 did you leave any drugs at your house that night?

11 A. No.

12 Q. Did he -- do you ever leave drugs at your house?

13 A. Have I ever left drugs at my house?

14 Q. That Darryl had given you? In other words, given
15 you and he says, Bring me up a peanut, keep three peanuts
16 at the house, or something like that?

17 A. Yes.

18 Q. That has happened; right?

19 A. Yes.

20 Q. And so you bring him up a peanut. He does what
21 he's going to do. Then he'll bring it back to you what
22 he does not sell?

23 A. I guess so, yes.

24 Q. I'm asking you, does he or not? Does he bring --
25 whatever he doesn't sell at Faye's house, does he bring

1 back to you?

2 A. Yes.

3 Q. Okay.

4 And then you put it with the other peanuts?

5 A. Yes.

6 Q. And then the next night you bring him more peanuts;
7 right?

8 A. Before he got the book bag.

9 Q. Well, no, with the book bag. In the book bag;
10 right?

11 A. Well, when everything is in the book bag,
12 everything stays in the book bag.

13 Q. I see.

14 So you don't take anything else out?

15 A. Before he got the book bag, he brought me
16 different sizes of them.

17 Q. On December 8th, the night everybody was arrested,
18 do you remember taking drugs to Faye's house?

19 A. Yes.

20 Q. Did you look in the bag before you took them to
21 the house?

22 A. Yes.

23 Q. You did?

24 A. Mm-hmm.

25 Q. When you looked in the bag that night, was that

1 the amount of drugs you typically take to Faye's house?

2 A. When I look in the bag, all you can see is this
3 big scale.

4 Q. Yes?

5 A. And then it's a little scale.

6 Q. Right?

7 A. And whatever was under all that stuff.

8 Q. You saw drugs, didn't you?

9 A. No, I did not.

10 Q. You didn't see drugs that night?

11 A. No, because when you open the bag, if you know
12 what kind of book bag had, you could see the scale.

13 Q. So you never saw drugs that night?

14 A. No.

15 Q. Is the scale always in the bag?

16 A. No.

17 Q. When did the scale get in the bag, do you know?

18 A. I do not know.

19 Q. When was the last time before December 8th that
20 you looked in the bag?

21 A. I'm not sure.

22 Q. A week ago? A week prior to that?

23 A. I'm not sure. It's been almost a year.

24 Q. Well, when you looked in the bag before that, did
25 you see a scale in there then?

1 A. No.

2 Q. So at this point between the last time that you
3 looked in the bag and the night that you were arrested,
4 two scales ended up in the bag; is that what you are
5 telling us?

6 A. When I looked in the bag, when I usually look in
7 the bag at some points in time, I don't see no scale.

8 Q. I understand.

9 A. But that night there was a scale in there.

10 Q. One scale?

11 A. Two scales.

12 Q. Two scales. That's what I said.

13 And you could not tell what, if any, drugs
14 were in the bag?

15 A. No, I could not.

16 Q. Now, did you ever lift the drugs out of the bag?

17 A. When he dropped the bag off?

18 Q. Yes.

19 A. No.

20 Q. So occasionally, you would look in, but that's
21 about it?

22 A. That's about it.

23 Q. And all the drugs in the bag were always covered
24 with masking tape, the gray duct tape, rather?

25 A. Yes.

1 Q. So you could not tell by looking at the drugs the
2 type of drugs that they were?

3 A. No.

4 Q. And you couldn't tell whether it was powder cocaine
5 or whether it was crack cocaine, could you?

6 A. No.

7 Q. Do you know the difference?

8 A. Yes.

9 Q. Okay.

10 So you have no idea what you were
11 transporting, other than the fact you knew it was
12 cocaine?

13 A. Yes.

14 Q. And you don't know the weight of cocaine; is that
15 right?

16 A. No.

17 Q. You know you were transporting something like this,
18 or a little bigger, three or four times a week; is that
19 right?

20 A. Yes.

21 Q. And that Wolfie was -- would be returning drugs to
22 you at the same night?

23 A. Yes.

24 Q. And this was on a regular basis from sometime in
25 the -- in September up through December the 8th; is

1 that right?

2 A. When I started, from the time I started?

3 Q. I'm talking about at Faye's house.

4 A. September. Yes.

5 Q. And you started with Wolfie before that; isn't
6 that correct?

7 A. Yes.

8 Q. And when was that that you started with Wolfie?
9 Sometime in July?

10 A. The end of July or early August.

11 Q. End of July, early August. So it would have been
12 about four weeks to six weeks or so before you started
13 going to Faye's house; is that right?

14 A. Yes.

15 Q. Okay.

16 A. Yes.

17 Q. And do you know the type of drugs that you were
18 delivering to Wolfie then during those four to six
19 weeks?

20 A. Yes.

21 Q. What was it?

22 A. Cocaine.

23 Q. Do you know whether it was powder or crack or both
24 or --

25 A. Both.

1 Q. How do you know that?

2 A. Because one of the packages was like rolled like --
3 because this is when I was holding them in my hand,
4 where I was taking them to my house, and one of them was
5 like --

6 Q. Hard?

7 A. Like rocky.

8 Q. Okay.

9 Now, other than that, is that the only way
10 you could determine that it was crack, because it was --

11 A. I seen them take the duct tape apart -- off of it.

12 Q. That same time?

13 A. One of the times.

14 Q. I'm sorry?

15 A. One of the times. Yes.

16 Q. How many times did you see them take the duct
17 tape?

18 A. Once.

19 Q. How many times did you feel that there was crack in
20 the drugs that you were holding?

21 A. Once, before I gave the book bag.

22 Q. So then one time you're saying there was a quantity
23 of crack in those six weeks before you started dealing
24 with Faye?

25 A. Yes.

1 Q. Okay.

2 So there was one occasion in those six weeks
3 that there was a quantity of crack.

4 Now, would the crack, would it have been --
5 you said it was in duct tape. Was it a ball like this
6 or was it a peanut of crack (indicating)?

7 A. When I first started doing it, it was in a ball.

8 Q. Just in a ball. Would it be that size ball or
9 that size ball?

10 A. I'm not sure.

11 Q. Okay.

12 This is -- this whole thing is 4 ounces?

13 A. Mm-hmm.

14 Q. Would you think it would have been half this size
15 or a third of this size? Do you have any -- you don't
16 know?

17 A. No.

18 Q. But in those six weeks, four to six weeks, there
19 was one time that you saw crack that Wolfie had and it
20 was a ball size, not a peanut size?

21 A. Yes.

22 Q. Is that right?

23 A. Yes.

24 Q. And you held that?

25 A. Mm-hmm. Yes.

1 Q. Okay.

2 Can you -- you can't describe the weight as
3 far as comparing it to something?

4 A. No, I cannot, no.

5 Q. To a ping-pong ball or tennis ball?

6 A. No.

7 Q. All right.

8 The next time -- and that's the only time
9 that you saw Wolfie with crack of your own knowledge,
10 other than the two times that you were present at
11 Faye's house, when he cooked it?

12 A. Can you repeat that, please?

13 Q. Okay.

14 As I understand it, you saw crack cocaine
15 with Wolfie, some quantity --

16 A. Mm-hmm.

17 Q. -- one time from August through the middle of
18 September, before you started going to Faye's house;
19 right?

20 A. It was -- it was not the middle of September.

21 Q. Oh.

22 A. It was before school started, and school started
23 the early part of September.

24 Q. That you started going to Faye's house?

25 A. When I started going to Faye's house, yes.

1 Q. Okay.

2 Well, let me just suggest to you that I think
3 Faye said something other than that. But, in any event,
4 she said it was football practice.

5 A. Football practice started in about August.

6 Q. Okay.

7 In any event, it was at some point that --
8 there was the one occasion in the four to six weeks that
9 you saw crack cocaine with Wolfie.

10 Then, you started going to Faye's house.

11 Now, the first two or three weeks that Wolfie
12 is at Faye's house, he's not going into her house. Do
13 you know that? He's not in her house, selling drugs out
14 of her house? Do you know that to be the case?

15 A. You are saying he's not going to her house?

16 Q. No. He's at her house, but he's on the porch. Do
17 you remember that?

18 A. At them times, I didn't really hang with Faye like
19 that.

20 Q. But there was a period of time, according to Faye,
21 that Wolfie, when he first started doing stuff with her,
22 that he did not go into her house?

23 A. I didn't know anything about that.

24 Q. Okay.

25 Well, do you remember delivering drugs to

1 Wolfie in front of Faye's house, like on her porch, not
2 inside the house? Do you remember that?

3 A. I started giving it to Wolfie at the football
4 practice.

5 Q. Okay.

6 So you were not going to Faye's house then?

7 A. Yes, I was going to Faye's house, but at first I
8 was taking it to football practice.

9 Q. Yes.

10 A. And he'd meet me down football practice to get it.

11 Q. And this was the powder, cocaine powder?

12 A. This is the -- both of them.

13 Q. Well, you said it was one time that you saw the
14 crack.

15 A. No. I told you one time in August.

16 Q. Yes.

17 A. But this is September we're talking about.

18 Q. Oh, now you're talking about September. Okay.

19 He's at Faye's house. Now you are satisfying that before
20 you gave him the book bag, he's giving you this tape --
21 drugs. Drugs are taped; is that correct?

22 A. Yes.

23 Q. And how can you tell one is crack and one is
24 powder?

25 A. The crack was the lumpy, rocky stuff.

1 Q. Okay.

2 You didn't see it?

3 A. When he unwrapped it.

4 Q. Well, would he unwrap it at the football game? At
5 the football practice?

6 A. No, he would not.

7 Q. Well, if you gave it to him at the football
8 practice and --

9 A. What I was telling you --

10 Q. Let me finish.

11 A. Okay.

12 Q. When you gave it to him at the football practice
13 and he left with the drugs, when would you see him
14 unwrap it?

15 A. At times I was taking it to his house.

16 Q. We haven't gotten that far.

17 A. Okay.

18 Q. You just testified now that you would take drugs
19 to Wolfie at the football practice. And I asked you
20 what drugs they were and you said both. Now, how do you
21 know it was both?

22 A. Listen, sir.

23 Q. At the football practice?

24 A. We're talking about the football practice?

25 Q. Yes.

1 A. Because you're confusing me.

2 Q. I'm sorry. I don't mean to.

3 A. Now, at the times when I started taking it to the
4 football practice, that was around the times I started
5 being with Faye, but not like -- like that, because I
6 would stop there and then after the football practice,
7 I would go to Faye's house.

8 Now, I would take the stuff. Sometimes he'd
9 be at the thing or he'd meet me at her house, because I
10 can recall one time I met him at her house in September.

11 Q. Yes?

12 A. And the stuff was in a white, clear bag.

13 Q. Right.

14 A. And I gave it to him and I left out the front door.

15 Q. Okay.

16 My question to you is: When you gave him the
17 drugs at football practice, do you know of your own
18 knowledge that you also gave him crack?

19 A. Oh, no. Sorry. No.

20 Q. So the answer is no?

21 A. Yes. No.

22 Q. The only time that you know that, according to what
23 you're testifying to, that you gave him crack, was at
24 Faye's house; is that right? Other than the one time in
25 August?

1 A. And then all the other times you're talking about?

2 Q. Now we're getting to those other times.

3 A. Okay.

4 Q. Now we're in September?

5 A. Mm-hmm.

6 Q. And you are delivering the drugs to Wolfie at

7 Faye's house?

8 A. Yes.

9 Q. And these are drugs that he has given you the
10 night before?

11 A. Yes.

12 Q. Now, my question to you is: How do you know it's
13 crack?

14 A. Sometimes when he unwraps it, I will be at the
15 house.

16 Q. Okay.

17 A. Remember, I used to be at Faye's house.

18 Q. Yes.

19 A. Now, sometimes he unwrap it, I will be at Faye's
20 house, because he unwrap it at her counter in her
21 kitchen.

22 Q. Okay.

23 And what was the quantity of the --

24 A. I don't know the quantities.

25 Q. Let me ask you this: Was it wrapped in something

1 like this?

2 A. It would be in duct tape.

3 Q. I understand. Was it this size, or like a ball,
4 the end of the duct tape?

5 A. The first time in August was the ball, round ball.

6 Q. I understand. Right.

7 A. Now, the other times would be in the peanuts. And
8 the reason that I know why he was cooking it up --

9 Q. But --

10 A. But you're talking about crack.

11 Q. We're not talking about the cooking yet. You're
12 delivering drugs to Wolfie that he's not cooking. Are
13 you saying the drugs you're delivering to him are the
14 drugs he's cooking up?

15 A. Well, who else would cook it?

16 Q. Well, let's back up.

17 MR. BENSON: Your Honor, I apologize. It's
18 very crucial, as you know, by the guidelines, that we
19 try to get this nailed down and I don't think I'm
20 trying -- I'm not trying intentionally to confuse
21 anybody.

22 THE WITNESS: Excuse me. May I speak to my
23 lawyer?

24 THE COURT: Speak up.

25 Do you want to speak to your lawyer?

1 THE WITNESS: Yes.

2 THE COURT: Sure.

3 (At this point Mr. Malik approached the
4 witness stand.)

5 (Pause while Mr. Malik and the witness
6 conferred.)

7 MR. MALIK: Thank you, your Honor.

8 THE COURT: All right.

9 BY MR. BENSON:

10 Q. All right?

11 A. Yes.

12 Q. Let's go back again.

13 Now we're at September. You got a book bag
14 from Wolfie or you gave him a book bag; is that right?

15 A. Yes.

16 Q. Before you gave him the book bag, you would still
17 deliver drugs to him; is that not correct?

18 A. In September he had a book bag.

19 Q. Okay.

20 In August he did not have a book bag?

21 A. No.

22 Q. Now, in September he has the book bag. And you're
23 delivering the book bag to Faye's house?

24 A. Yes.

25 Q. Is that right?

1 A. Yes.

2 Q. When you're delivering the book bag to Faye's
3 house, there's drugs inside the book bag?

4 A. Yes.

5 Q. Do you know what drugs are in there?

6 A. Cocaine.

7 Q. Okay.

8 Is it powder cocaine or is it crack cocaine?

9 A. It's both.

10 Q. If you know? If you know?

11 A. I'm just going to say I'm not sure.

12 Q. Well, it's important if you know to tell what you
13 know. If you don't know, that's fine.

14 A. When I see him unwrap it during different occasions,
15 it would be powder and it would be crack.

16 Q. Okay.

17 What quantity of crack --

18 A. I do not know the quantities.

19 Q. Well, looking at it as though this -- would it be
20 this size quantity of crack (indicating)? Is this what
21 you would see him unwrap?

22 A. The peanuts. Yes. I would say the peanuts.

23 Q. And how often would you see him unwrap a peanut
24 of crack cocaine, starting in September?

25 A. I'm not sure.

1 Q. Well, not sure meaning once a week, twice a week,
2 five times a week?

3 A. I told you, I don't always stay there.

4 Q. I understand.

5 A. So I'm not sure how many times a week that he
6 unwrapped -- you know, seeing him unravel this.

7 Q. Well, you testified at your sentencing or you
8 said at your sentencing hearing that when Judge McKelvie
9 questioned you about the quantity of drugs involved, I
10 believe your testimony was that it was 13 keys of powder
11 and 12 keys of crack cocaine. Then your attorney stood
12 up and tried to explain that you don't know what a key
13 is and all this other stuff.

14 A. Mm-hmm.

15 Q. But you -- you were referring to peanuts and saying
16 that the peanuts are equal to a key of cocaine; is that
17 right?

18 A. I never said kilogram. I said peanuts.

19 Q. Okay.

20 Well, if this is the size peanut
21 (indicating) -- when you were thinking, at the time you
22 pled guilty, that there were 12 keys of crack cocaine,
23 when the Judge asked you, 12 keys of crack cocaine, and
24 you said, Well, there's 12 peanuts; is that right? Is
25 that what you were saying, 12 peanuts?

1 A. Yes.

2 Q. Is this the size peanut that we're talking about?

3 A. The peanut is a little bit bigger.

4 Q. Little bit bigger.

5 Now, is it -- when you would drop off a peanut
6 of crack cocaine to Darryl at Faye's house, you would see
7 him occasionally open it up and it would be this crack in
8 there; right?

9 A. Yes.

10 Q. Other than you seeing it, and knowing what crack
11 looked like, you would have no reason to know that it
12 was crack cocaine in the peanut; isn't that right?

13 A. Yes.

14 Q. I'm sorry? Is that right?

15 A. Yes.

16 Q. Okay.

17 Then he would do his business. You would
18 leave. That night he would come back with drugs wrapped?

19 A. Yes.

20 Q. The same way; isn't that right?

21 A. Yes.

22 Q. Were they the same drugs that he had not sold, do
23 you know?

24 A. No, I do not know.

25 Q. You don't know?

1 A. No.

2 Q. So it's possible, is it not, Miss Crawford, that
3 this (indicating) quarter-key of crack was given back to
4 you in some denomination two or three times over a
5 period of a week; isn't that correct?

6 A. I don't know.

7 Q. Well, in other words, if this were not sold and he
8 rewrapped it and brought it back, it's the same -- it's
9 the same peanut, isn't it?

10 A. I don't ask.

11 Q. I know you don't ask, but I mean if it's not sold --
12 you don't know that it's a new peanut; isn't that
13 correct?

14 A. Yes.

15 Q. Now, if it's the same peanut that you are getting
16 back two or three times in a week, that's not three
17 different peanuts, is it?

18 A. If it's the same one, no, it wouldn't be a
19 different one.

20 Q. So when you say 12 or 13 peanuts, you don't know
21 that you saw this 12 or 13 times? It could be the same
22 one?

23 A. I know from when I called Faye, she says he --
24 everything he gets, he halves it down. So I was asked
25 how many peanuts have I seen. 25.

1 Q. 25.

2 A. 25 peanuts. Yes. Half of that. That's where I
3 got 13 and 12 at.

4 Q. This is what you are talking about is a peanut?

5 A. A little bigger.

6 Q. A little bigger?

7 A. Yes.

8 Q. And there's a quarter of a kilogram.

9 A. I don't know.

10 Q. I'm telling you. So four of those would be one key.
11 And you're saying that there's 12, you think there was 12
12 crack peanuts? But you don't know that it's not the same
13 peanut given back to you a couple different times; isn't
14 that correct?

15 A. Yes.

16 Q. And for a period of at least a month, there was no
17 crack that you were involved with in giving Darryl? Just
18 the one time, the little ball; is that right?

19 A. Can you say that again?

20 Q. You said in August, when you were delivering drugs
21 to Darryl, on one occasion you knew that there was crack
22 and it was a ball of crack. But you don't know the
23 weight. It was just a ball about one of these -- about
24 one of these ends of a peanut?

25 A. Yes.

1 Q. Is that right?

2 A. Yes.

3 Q. Now, in October, you were at Faye's house?

4 A. Yes.

5 Q. And same thing was going on? Three or four nights
6 you were delivering drugs?

7 A. Yes.

8 Q. And you would be -- you would be there every night
9 when Darryl opened the bag and took the tape off the
10 drugs?

11 A. Not all the time.

12 Q. All right.

13 So if you weren't there, do you know if it
14 was crack or powder?

15 A. When I'm not at Faye's house, I talk to Faye all
16 the time.

17 Q. Now, Faye testified that, in fact, Darryl would be
18 there and if somebody came to the house and wanted some
19 crack, he would cook it up for them. Do you know
20 anything about that?

21 A. She always told me that.

22 Q. Okay.

23 Now, if she -- if he's cooking it up for
24 clients or customers, why -- why are you having a peanut
25 of crack cocaine? Where is that coming from? Do you

1 have any idea?

2 In other words, if you are delivering crack
3 cocaine to him, why is he cooking it every night, as
4 Faye would say?

5 A. It was more than 25 occasions between -- between --
6 the end of July and December the 8th.

7 Q. Well --

8 A. No. If it's four times a week and say there's --
9 that's five months.

10 Q. What are you saying?

11 A. Faye said every time that he gets something, he
12 half it.

13 Q. Faye also said under oath, before you testified --

14 A. Mm-hmm?

15 Q. -- that Darryl did not start cooking any cocaine in
16 her house until October, and that for two weeks he didn't
17 do any drugs, because he had been shot. Do you remember
18 that? Do you know about that? Him being shot?

19 A. Yes.

20 Q. Okay.

21 So that would mean October and a couple weeks
22 in November, and then one week in December that we're
23 talking about the possibility of crack cocaine.

24 A. Yes?

25 Q. Not -- none in September at all, because he -- for

1 a period of the month in September, he wasn't even
2 allowed in the house, and then it was at least two or
3 three weeks after he had been in the house before he
4 started cooking up some crack.

5 A. You're saying there was a period that he wasn't
6 allowed in the house?

7 Q. Yes. He did not go in the house. That's exactly
8 right.

9 Are you aware of that?

10 A. No, I'm not.

11 Q. Well, I mean, Faye testified to that also. So you
12 didn't know about the number of weeks that Wolfie did
13 not go in Faye's house?

14 A. The times in September from what I know, he was in
15 the house.

16 Q. From what you know?

17 A. Yes.

18 Q. But if Faye says otherwise, do you think she'd
19 know better than you, because it's her house?

20 A. She could, yes.

21 Q. Now, were there times that the three of you were
22 hanging out the house, that when you got ready to
23 leave, Darryl would just give you the drugs and say,
24 Take them back?

25 A. Yes.

1 Q. So he would rewrap it, right, and give you the
2 same drugs back again?

3 A. I'm not sure.

4 Q. Well, as I understand it, you're saying that there
5 were occasions when you guys were staying at Faye's
6 house when Darryl would close down 9:00 o'clock, 10:00
7 o'clock, whatever it might be, and he'd just rewrap all
8 the drugs in this grey tape, duct tape, and put them
9 back in the bag and give them to you and say, you know,
10 I will see you tomorrow night or whatever; isn't that
11 true?

12 A. I don't know what he'd be wrapping, because I sits
13 in her dining room and if he's going to do any wrapping,
14 it would be in her kitchen, because he'd have respect
15 where he won't wrap, you know, in front of us.

16 Q. He would unwrap in front of you, but not --

17 A. When you walk in her kitchen --

18 Q. Do you understand the question? He would unwrap
19 the drugs in front of you?

20 A. I don't think he'd be meaning to unwrap it in front
21 of us, it's just when you walk through her kitchen door,
22 he'd be doing it, not knowing somebody would come in,
23 because at Faye's house, we'd stand in her back steps.
24 On other occasions, I was coming in and he would be
25 unwrapping it.

- 1 Q. How often would that be?
- 2 A. I told you I seen him one time unwrap it.
- 3 Q. One time only?
- 4 A. When there was that crack.
- 5 Q. One time only?
- 6 A. When I seen him unwrap the crack.
- 7 Q. In three months?
- 8 A. In August.
- 9 Q. Talking about September, October, November,
- 10 December.
- 11 A. You're talking about September to December?
- 12 Q. Yes.
- 13 A. The end of November, say.
- 14 Q. Yes. How many times did you see him unwrap drugs
- 15 then, from September, October, and November?
- 16 A. I seen him cook it twice. I'm not sure.
- 17 Q. Well --
- 18 A. And I'm not going to guess.
- 19 Q. Well, you've indicated that he had 12 keys, or
- 20 12 peanuts, which you are saying a peanut is a key.
- 21 A. No. I'm saying a peanut is a peanut, because I
- 22 don't know what a key is.
- 23 Q. Well, the Government I guess is saying a peanut
- 24 is a key. This is what you are talking about? A little
- 25 bit bigger than this (indicating)?

1 A. Bigger than that, yes.

2 Q. That you observed him unwrapping that, those drugs
3 at Faye's house from September through November on how
4 many occasions?

5 A. I'm not sure how many occasions I seen him unwrap
6 it between --

7 Q. Other than the two times you saw him cook crack
8 cocaine --

9 A. Mm-hmm?

10 Q. -- were present, do you know of your own knowledge
11 that he cooked any crack cocaine? From your own
12 knowledge?

13 A. From me seeing it?

14 Q. Yes.

15 A. No.

16 Q. Do you know that he possessed -- did you ever see
17 him have, in his possession, any crack cocaine from
18 September through November?

19 A. From him selling it? As in selling to giving it
20 to somebody to sell to somebody else?

21 Q. Yes.

22 A. Yes, I did.

23 Q. And when was that?

24 A. I don't know what month it was. It was between --
25 because it was cold outside.

1 Q. And how many times did you see that?

2 A. Twice.

3 Q. And what was the quantity?

4 A. I do not know the quantity.

5 Q. Do you know how much money he received?

6 A. The guy was, like, Here go 60 or 50 dollars.

7 Q. Okay.

8 \$50. And that was on two occasions?

9 A. It was in one night.

10 Q. One night?

11 A. Yes.

12 Q. And what about the other night? You said two
13 times. Two times in one night?

14 A. Yes.

15 Q. So two times he sold a rock, or whatever you call
16 it, of crack for \$50; is that right?

17 A. Yes.

18 Q. And that's it?

19 A. In that one night.

20 Q. Yes.

21 Well, did you ever see of your own knowledge
22 him sell crack cocaine other than that?

23 A. He has respect for people. He wouldn't sell it
24 like that.

25 Q. Do you understand the question?

1 A. Yes.

2 Q. Have you ever seen him do it other than the one
3 night?

4 A. Have I ever seen him sell it?

5 Q. Crack cocaine, from September through November?

6 Did you ever see him sell crack cocaine?

7 A. Yes. I told you I did.

8 Q. The one night?

9 A. The one night, the two times.

10 Q. Yes.

11 Now, how many nights were you at Faye's house
12 with Wolfie and Faye, sitting around and that he would
13 close up shop and wrap the drugs up and then hand them
14 back to you in the bag and say, take them home?

15 A. I'm not sure.

16 Q. Ten times?

17 A. It's only seven days of the week.

18 Q. I'm not saying how many days in a week, I'm saying
19 how many times?

20 A. I'm not sure.

21 Q. Ten times?

22 A. I'm not sure.

23 Q. 15 times?

24 A. I'm not sure.

25 Q. Well, think about it. More than once?

1 A. I don't want to say something and be wrong.

2 Q. Well, it has happened, has it not?

3 A. Yes.

4 Q. More than one time?

5 A. Yes, more than one time.

6 Q. A lot more than one time?

7 A. I'm not sure.

8 Q. You know what a lot means. Is it a lot more than
9 one time? Yes or no?

10 A. Yeah. A lot more than one time.

11 Q. Okay.

12 A lot more than one time you're saying that
13 Darryl and Faye and you would be hanging out. He'd be
14 doing what his thing is.

15 So those nights certainly he did not cook up
16 any crack; right?

17 A. The nights that --

18 Q. The nights that you were all there together, he was
19 not cooking up crack?

20 A. Sometimes I go to Faye's house --

21 Q. Yes?

22 A. -- leave and come back.

23 Q. Okay.

24 Did it smell like he had cooked up crack?

25 A. I don't know.

1 Q. You don't remember or you don't know or you're not
2 saying?

3 A. I don't remember that.

4 Q. Okay.

5 In any event, you would leave, come back.
6 Everybody would be hanging out. And then he would give
7 you the drugs at the end of the night. And take them
8 home; right?

9 A. Sometimes.

10 Q. And then the next day you would bring those same
11 drugs back; is that right?

12 A. Yes.

13 Q. And could it happen two or three days in a row like
14 that, where you guys would hang out some more and then at
15 the end of the night he'd just wrap it up again, give you
16 the drugs and say, I will see you later and I will beep
17 you or something? Could that have happened two or three
18 nights in a row, on occasion? I'm not saying all the
19 time, just occasionally?

20 A. Yes.

21 Q. Okay.

22 And so when you would come back the next
23 night, it would be the same drugs you were bringing
24 back; isn't that true?

25 A. I don't know what he sold at the time I was there.

1 Q. I know. I understand you don't know what he sold,
2 but you know that what he didn't sell, he would give back
3 to you and then the next night, on occasion, you would
4 bring them back?

5 A. Yes.

6 Q. And that it might even happen that night again,
7 the same thing? And if you happened not to leave that
8 night, didn't go anywhere, you know he didn't cook up
9 any crack in front of you, because he only did that
10 twice. One time you left?

11 A. Yes.

12 Q. Right?

13 A. Yes.

14 Q. So those nights, if you didn't leave, in November
15 or late October, and you were hanging out, or Faye's
16 birthday, whatever it might have been, he wasn't cooking
17 crack when you were there?

18 A. Just the two occasions that I was there.

19 Q. Right.

20 And on the occasions when he would close up,
21 give you the drugs, you would leave, you would bring back
22 the same drugs the next time?

23 A. Yes.

24 Q. And that happened a lot of times, according to the
25 word you're using; is that right?

1 A. Excuse me?

2 Q. A lot of times it happened? About you bringing
3 back the drugs?

4 A. Yes.

5 Q. Okay.

6 MR. BENSON: Your Honor, may I just take a
7 moment, please?

8 THE COURT: All right.

9 (Pause while Mr. Benson and the defendant
10 conferred.)

11 BY MR. BENSON:

12 Q. Now, Miss Crawford, you were questioned by Officer
13 Sullivan, I guess, on December the 15th, which is a
14 couple days after the arrest. And he puts in a 302,
15 which is a statement that you gave him, that Crawford
16 has personally seen at one time what she described as a
17 kilo in that Chambers bag that she would hold for him.

18 A. I never said kilo.

19 Q. So are you saying that the officer is not telling --
20 is not being accurate?

21 A. I always said peanuts, because I don't know what
22 no kilo was.

23 Q. Well, he has kilo and he has it in parentheses,
24 as though he made a specific point that you said kilo.

25 A. I never said kilo.

1 Q. You're positive of that?

2 A. I'm positive.

3 Q. So this 302 statement, as far as you're concerned,
4 is inaccurate if it says that?

5 A. I don't know what a kilo is, so I wouldn't say
6 something I don't know about.

7 (Pause.)

8 BY MR. BENSON:

9 Q. Do you know if Darryl kept any drugs at Faye's
10 house?

11 A. Yes.

12 Q. Do you know if he did?

13 A. Do I know of any?

14 Q. Yes.

15 A. Yes.

16 Q. He kept them there overnight?

17 A. This one particular bag, he must have, because it
18 wasn't in the bag that he brought to my house.

19 Q. Which one?

20 A. It was a clear plastic bag.

21 Q. Okay.

22 Faye said that maybe on two occasions, total,
23 in all those months, three months or four months, that he
24 may have left something at the house. Do you know
25 anything about that?

1 A. Only thing I know about is the clear plastic bag
2 that was in the ceiling.

3 Q. But generally, as a rule, all the drugs ended up
4 at your house at night?

5 A. Sometimes.

6 Q. Well, sometimes or as a rule, always?

7 A. Not always.

8 Q. Well, how many times do you know of your own
9 knowledge that they did?

10 A. That was kept at my house?

11 Q. Yes.

12 A. The four times a week.

13 Q. They were all kept at your house. And what wasn't
14 used or sold that night got back to your house? Either
15 you took it back or Wolfie dropped it off; right?

16 A. You said that wasn't sold?

17 Q. Yes.

18 A. Like I told you, I don't know what he sell, but,
19 yes.

20 Q. Whatever was left over, as far as you know, went
21 back to your house. Either you took it back if you were
22 staying at Faye's or Wolfie dropped it off if you had
23 left; right?

24 A. Yes.

25 Q. And the only time you know that there was any

1 crack cocaine in those bags is on one occasion, when you
2 saw him unwrap it in front of you and you saw what you
3 believe to be crack?

4 A. Yes.

5 Q. Okay.

6 And that was your observation?

7 A. That was from my observation.

8 Q. You don't know that it was crack, other than what
9 you observed?

10 A. That's what I observed at the time.

11 Q. So this idea about the 12 kilos of crack, is that
12 your statement, your testimony, or is it Faye's testimony
13 that they told you Faye said this? Where is this --
14 where does this figure come from exactly?

15 A. When I used to talk to Faye all the time, he used
16 to talk about how he'd be cooking up in his house.

17 Q. This is Faye telling you?

18 A. Yes. But this is even before all this happened.

19 Q. But you don't know that of your own knowledge?

20 A. I know it the times I was there.

21 Q. Twice?

22 A. Yes.

23 Q. So where does the figure the 12 kilos of crack come
24 from, as far as you're concerned?

25 A. Out of the 25.

1 Q. Well, how do you know 12 keys --

2 A. She said half of everything that he gets, he cooks
3 it.

4 Q. She says that?

5 A. Yes.

6 Q. But if he did not tell you that --

7 A. She did tell me that.

8 Q. But if she told you a tenth or none of what he gives
9 me is crack, that he gets is crack, then you wouldn't say
10 12 keys would be crack, would you?

11 A. I would say 25 peanuts would be just the regular
12 thing.

13 Q. Powder?

14 A. Yes.

15 Q. So the crack idea is not anything you know of your
16 own knowledge?

17 A. I seen him two occasions, to the best of my
18 knowledge.

19 Q. I understand. I'm not trying to trick you when I
20 say that. I know you saw it on two occasions, but
21 certainly those two occasions are not equal to 12 keys
22 or 12 peanuts of crack cocaine; is that true?

23 A. If he splits down everything he gets --

24 Q. Forget all that, what you are told.

25 A. Okay.

1 Q. I'm asking you what you know of your own knowledge.

2 What you know?

3 A. Mm-hmm.

4 Q. Do you know that he had 12 keys of crack cocaine
5 of your own knowledge? Forget Faye for a minute.

6 A. From me seeing it and all that?

7 Q. Yes.

8 A. No.

9 Q. The only crack you ever saw was on two different
10 occasions? One, you say there was a ball of crack that
11 you saw in August, a ball of one of these peanuts, and
12 the other was on an occasion when he had unwrapped some
13 crack and he sold two rocks, I guess it is, for \$50
14 each?

15 A. The two times that he cooked it.

16 Q. And the two times he cooked it.

17 Do you know the quantity that he cooked?

18 A. No, I do not.

19 Q. Do you know how long it took him to cook it?

20 A. No, I didn't time it.

21 Q. And that was it?

22 A. Yes.

23 Q. And other than that, you know nothing about crack
24 cocaine?

25 A. Other than that.

1 Q. So these figures that you swore to are figures that
2 you -- you got from Faye, basically?

3 A. From me being on the phone and then the times that
4 I seen it?

5 Q. Yes.

6 A. Yes.

7 Q. You being be on the phone with Faye?

8 A. Yes.

9 MR. BENSON: Nothing further.

10 THE COURT: All right. Cross-examination.

11 MR. PRETTYMAN: Thank you, your Honor.

12 CROSS-EXAMINATION

13 BY MR. PRETTYMAN:

14 Q. The times that you were on the phone with Faye in
15 which you formed the basis of the half is crack and half
16 is powder cocaine, so that it's 12 kilograms or 12
17 peanuts that, based upon the observation of the peanuts,
18 the agents and officers say are kilograms, and the 13
19 kilograms of powder cocaine, using the same peanut
20 weight system, you learned that from Faye Bullock during
21 the course of the time between September and December
22 8th, 1997, before any arrests were made; is that right?

23 A. Yes.

24 Q. And during that time that you and Faye Bullock and
25 the defendant were working together, would the three of

1 you, including Faye and you, have conversations about
2 bringing a bag over, when the bag should be brought over,
3 who would accept the bag of crack cocaine, powder cocaine,
4 the drugs that were coming over?

5 A. When I would either be paged or called.

6 Q. So during the time in which you, Faye Bullock and
7 the defendant, Darryl Chambers, were working together on
8 this cocaine, crack cocaine business, you would have
9 conversations with Faye Bullock about what exactly the
10 defendant, Darryl Chambers, was doing with the powder
11 cocaine, the crack cocaine and cooking in quantities and
12 things like that; is that correct? She would tell you
13 that he would cook at her house the cocaine and the crack
14 cocaine all the time? She told you that on the time
15 between September and December 8th, 1997; is that right?

16 A. Yes.

17 Q. And it was on a regular basis that she would tell
18 you that he would be cooking cocaine into crack cocaine
19 at her place; is that right?

20 A. Yes.

21 Q. And during that same time period, she also told
22 you that half of what he had as drugs would be cooked
23 from cocaine into crack cocaine; is that right?

24 A. Yes.

25 Q. Did any law enforcement person, myself, or anybody

1 tell you what to say in terms of the weights of the
2 drugs or the types of the drugs that were involved?

3 A. No.

4 MR. PRETTYMAN: May I approach the witness,
5 your Honor?

6 THE COURT: Yes.

7 MR. PRETTYMAN: I will show this to Mr.
8 Benson.

9 BY MR. PRETTYMAN:

10 Q. Miss Crawford, did we ask you to draw or did you
11 decide to help us understand the size of the packages of
12 cocaine and crack cocaine that were going back and forth
13 between you to the defendant at Faye Bullock's house or
14 whenever you would deliver it to Faye Bullock, when the
15 defendant was not available?

16 Did we ask you or did you decide to draw
17 something for us?

18 A. I decided to draw it.

19 Q. Was that on September 12th, 1997? I have L.C.
20 written down?

21 A. Yes.

22 Q. Is this a fair and accurate depiction of the
23 peanuts that you drew, the inner peanut being the
24 smaller peanut, the outer peanut being the larger peanut
25 that you saw?

1 A. Yes.

2 MR. PRETTYMAN: Your Honor, I would move
3 the admission of this into evidence, as Government's
4 Exhibit 12.

5 MR. BENSON: No objection.

6 THE COURT: All right. Admitted.

7 *** (Government's Exhibit No. 12 was received
8 into evidence.)

9 BY MR. PRETTYMAN:

10 Q. There's a word written down here. Could you
11 tell everybody what that is, please?

12 A. Simon.

13 Q. Who's Simon?

14 A. The touter.

15 Q. What's a touter?

16 A. Somebody that will get the sale for them.

17 Q. I'm sorry? I haven't asked you yet to identify
18 the Darryl Chambers we've been talking about.

19 A. Mm-hmm.

20 Q. Do you see him in court?

21 A. Yes.

22 Q. Could you point to him, please?

23 A. I don't like pointing at nobody, but he's over
24 there.

25 MR. PRETTYMAN: Your Honor, may the record

1 reflect the witness has identified the defendant?

2 THE COURT: All right. Yes.

3 MR. PRETTYMAN: Thank you.

4 BY MR. PRETTYMAN:

5 Q. Miss Crawford, or I will either variously call him
6 Darryl Chambers, Wolfie or the defendant. Simon was a
7 touter for Darryl Chambers. Is that what you just said?

8 A. Yes.

9 Q. During the time period that we're talking about,
10 July to December 8th, 1997, sometime in that time period?

11 A. Yes.

12 Q. What exactly would Simon do for the defendant?

13 A. A touter basically is somebody that gets the sale
14 and then brings the sales or something like that to the
15 person that sells it.

16 Basically, I say the person that -- all
17 right. Say I wanted to get some coke and Simon will be
18 the one to bring the money. Do you understand what
19 I'm saying?

20 Q. Simon would be the one. You would order the cocaine
21 or the crack cocaine from Simon. He would go ask the
22 defendant for the cocaine or crack cocaine, take your
23 money and deliver the crack cocaine or the cocaine from
24 Darryl Chambers to you as an intermediary?

25 A. Yes.

1 Q. Is that right?

2 A. Yes.

3 Q. Okay.

4 Did Darryl Chambers have any other people
5 like Simon who would be intermediaries for him like
6 that, besides Simon?

7 A. Simon was the only one that I really seen around.

8 Q. And you saw that during the time period that we're
9 talking about?

10 A. Yes.

11 Q. To the best of your knowledge, did you tell the
12 Grand Jury and the Judge at the time of your plea the
13 truth about what your understanding and recollection
14 about what happened was?

15 A. Yes.

16 Q. And based upon that, based upon your understanding
17 of the peanuts, the size of the peanuts, what Faye
18 Bullock told you, what the agents told you about the
19 quantity in each peanut, you reached an understanding
20 with the Government about what weights of cocaine and
21 crack cocaine were involved between you, Miss Bullock
22 and the defendant in this case; is that right?

23 A. Yes.

24 Q. Has anything that Mr. Benson asked you today caused
25 you to change your mind as to the accuracy of those

1 weights of drugs that you testified to in the Grand Jury
2 and told the Judge about at the time of your plea, in
3 terms of the stipulation with the Government?

4 A. No.

5 Q. And when the drugs that you transferred back and
6 forth and held, do they all belong to Darryl Chambers?

7 A. Yes.

8 Q. And did you see where he would keep the drugs at
9 Faye Bullock's house, when he was either selling or ready
10 to sell the cocaine and crack cocaine?

11 A. Yes.

12 Q. Where would he keep it?

13 A. In the -- in the pantry, in the ceiling, or outside
14 the overhang.

15 Q. Outside of her residence in an overhang?

16 A. Yes.

17 Q. The roof overhang area?

18 A. Yes.

19 Q. Is that right?

20 A. Yes.

21 Q. And you personally saw that with your eyes?

22 A. Yes.

23 Q. And did you see guns kept in Faye Bullock's
24 kitchen cabinet?

25 A. Yes.

1 Q. Near the area where the cooking of cocaine by the
2 defendant would have been, where the pantry was, the
3 drop ceiling, where the drugs were stored?

4 A. Yes.

5 MR. PRETTYMAN: May I have a moment, please,
6 your Honor?

7 (Pause.)

8 MR. PRETTYMAN: Thank you, your Honor.

9 BY MR. PRETTYMAN:

10 Q. The peanuts that you saw in Government's Exhibit
11 12, that's based upon the pictures that you drew. The
12 inner peanut and the outer peanut, that's based upon what
13 you saw as the peanuts that you were given by Darryl
14 Chambers and that you returned to Darryl Chambers that
15 contained the drugs; is that correct?

16 A. Yes.

17 Q. And Defendant's Exhibit 1, the peanut that the
18 defendant has been showing you, Mr. Benson has been
19 showing you, the peanut that you saw was bigger than
20 this?

21 A. Yes.

22 Q. Is that correct?

23 A. Yes. Yes.

24 MR. PRETTYMAN: Thank you. I have no
25 further questions.

1 MR. BENSON: A couple, Judge, if I may.

2 REDIRECT EXAMINATION

3 BY MR. BENSON:

4 Q. Miss Crawford, isn't it true that the officers are
5 the ones that say that these peanuts were kilograms? In
6 the plea agreement, on A-96, there was a basket that was
7 at a desk in the conference room. Do you remember that?

8 A. Yes.

9 Q. And this was discussed in front of the Judge.

10 And if you poured the contents of this
11 peanut into the basket, how much would it fill up to?

12 Did they do that, in fact? Did they pour
13 the contents of the peanut into a basket?

14 A. Did they pour it in a basket?

15 Q. Yes. Yes. They had a basket --

16 A. They had a basket, but they didn't pour anything
17 into it.

18 Q. They didn't pour anything into it?

19 A. No.

20 Q. And they said that, based on your description,
21 which as I understand it basically was a peanut-shaped
22 thing that was about seven inches long -- isn't that
23 how you described it?

24 A. No.

25 Q. Why don't you describe for the Judge what the

1 peanut shaped packaging looked like.

2 A. Like a Planter's peanut.

3 Q. I see.

4 How long was it?

5 A. About like this (indicating).

6 Q. About six or seven inches long?

7 A. Yes.

8 Q. And how wide on the end?

9 A. On the end was like this.

10 Q. Was that two or three inches?

11 A. I'm not sure.

12 Q. Okay.

13 Well, hold it up so the Judge can see what
14 you are describing.

15 And did it go down and become thinner in the
16 middle?

17 A. In the middle.

18 Q. To about an inch I think you testified to?

19 A. About (indicating).

20 Q. About an inch or inch and a half?

21 A. Yes.

22 Q. And it goes on to say:

23 "She went by the size and that's
24 how we extrapolated to the particular
25 amount."

1 You said it was six or seven inches wide and
2 had sort of a peanut shape; right?

3 A. Yes.

4 Q. Okay.

5 MR. BENSON: Your Honor, I have not, I guess,
6 moved this in. I would like to do that. It's marked as
7 Defendant's Exhibit 1, but I don't know if it has been
8 moved, its admission has been moved. And I would like
9 to do that.

10 MR. PRETTYMAN: Your Honor, it has already
11 been testified to. I guess the question I have is, the
12 only evidence of what the weight might be has come from
13 Mr. Benson's mouth, which I don't think is evidence for
14 this hearing. So that if it's marked in as a
15 demonstrative exhibit as to size, I would have no
16 objection. If we're going on the weights that Mr.
17 Benson was saying, then I would object.

18 MR. BENSON: Well, certainly, I'm going
19 about size right now and we can worry about the weight
20 later.

21 THE COURT: I will admit it to the extent
22 that it describes an item people were talking about
23 during the testimony.

24 *** (Defendant's Exhibit No. 1 was received
25 into evidence.)

1 BY MR. BENSON:

2 Q. Miss Crawford, as far as the size, as we're just
3 talking about, peanut, six, seven inches long, you
4 could not determine the weight as to whether or not how
5 heavy the item was?

6 A. No.

7 Q. Do you remember picking it up?

8 A. Yes.

9 Q. I'm sorry?

10 A. Yes.

11 Q. Okay.

12 MR. BENSON: May I approach the witness,
13 your Honor?

14 BY MR. BENSON:

15 Q. I'd ask you to hold this (handing box of sugar to
16 the witness).

17 Would you say that the peanut weighed this
18 weight or was it less than this weight or more than this
19 weight?

20 A. It's been a time ago.

21 Q. I understand. So what's the answer?

22 A. I'm not sure.

23 Q. Okay.

24 You don't have any present recollection
25 whether or not it was a similar weight than that?

1 A. No.

2 Q. Could it have been less weight?

3 A. I'm not sure.

4 Q. You just don't have any recollection of it?

5 A. No.

6 Q. You also indicated that Faye started telling you,
7 or at least the Assistant U.S. Attorney indicated that
8 from July through November, end of November, that Faye
9 was telling you about Wolfie cooking up this crack
10 business.

11 A. From September.

12 Q. From September. I'm sorry. From September is
13 what I meant to say.

14 If I suggest to you that Faye testified
15 earlier that, in fact, her recollection is that the
16 cooking of the crack cocaine started in October, can
17 you think about that and see if maybe she started
18 telling you about that in October as opposed to
19 September? Could you be mistaken when you say
20 September?

21 A. I'm not sure.

22 Q. Okay.

23 It could have been October, then?

24 A. I'm not going to say.

25 Q. Well, you did say. That's one of the problems.

1 You said September through November.

2 A. September to December.

3 Q. Yes.

4 A. But you're telling me to think and see if I'm not
5 sure -- if I'm sure or not.

6 Q. Well, you said, and sounded sure, that it was --
7 that Faye was complaining to you or telling you -- not
8 complaining, but telling you --

9 A. She was complaining to me.

10 Q. Well, complaining to you that Wolfie was cooking
11 up crack at her house from September through December.
12 And I'm telling you that she testified earlier that the
13 cooking up of the crack didn't start until October. So
14 is it possible you were mistaken about when her
15 complaint started?

16 A. It's possible.

17 Q. So it could have been October as opposed to
18 September; is that right?

19 A. Yes.

20 Q. Okay.

21 So then it would have been for October and
22 November, two months, with the exception of a couple
23 weeks, when Darryl had been shot. Do you remember that
24 incident?

25 A. Yes.

1 Q. So instead of ten or twelve weeks, it would have
2 been perhaps six or eight weeks; is that right?

3 A. I'm not sure.

4 Q. Well, October through the end of November is
5 typically eight weeks, two months.

6 A. Mm-hmm.

7 Q. Two of those weeks he was laid up, so that would
8 have left six weeks that she would have been complaining
9 about; is that right?

10 A. You said two of those weeks he was laid up?

11 Q. He had been shot.

12 A. Yes. After he got shot, I was still sometimes
13 taking his stuff to him.

14 Q. Not to Faye's house?

15 A. No, not to Faye's house.

16 Q. Exactly. And so he wasn't cooking at Faye's house;
17 is that right? She testified that she didn't see him for
18 those two weeks.

19 A. But I did.

20 Q. I understand you may have, but I'm talking about
21 Faye. Do you understand the question?

22 A. No. Can you repeat it, please?

23 Q. Basically, didn't Faye tell you that he was not
24 there for two weeks in November, when he had been shot?

25 A. Why would she tell me that?

1 Q. Well, you said she was complaining --

2 A. She was complaining periodically about him cooking
3 up --

4 Q. Periodically?

5 A. -- cooking up the stuff at her house and she
6 didn't know what to do so she asked me what should I do,
7 but I can't control her.

8 Q. What did you tell her to do?

9 A. I told her to tell him to stop.

10 Q. And she never did?

11 A. No, she didn't.

12 Q. And you never said anything to him about stopping?

13 A. That's not my house.

14 Q. All right.

15 And you don't know the amount that we're
16 talking about, as far as what he was cooking up?

17 A. Half of everything that he had.

18 Q. That's what you heard from Faye?

19 A. Yes.

20 Q. And the amount that you are talking about, you
21 don't know from your own first-hand knowledge?

22 A. No.

23 Q. And as far as the weight is concerned or the size
24 of the drugs that you were delivering to Wolfie, it was
25 a little bigger than that peanut shape; is that right?

1 A. Yes.

2 MR. BENSON: Nothing further, your Honor.

3 THE COURT: All right. You may step down.

4 (Witness excused)

5 - - -

6 THE COURT: All right. Why don't we stop for
7 the day. We'll start again tomorrow morning at 10:00
8 o'clock or 9:00 o'clock?

9 MR. PRETTYMAN: 9:00 o'clock, your Honor.

10 MR. BENSON: 9:00?

11 THE COURT: 9:00 o'clock.

12 MR. BENSON: Judge, are these two witnesses
13 going to be available in case we need them to be recalled?

14 MR. MALIK: I was just asking if Miss
15 Crawford was excused or if I should plan to be available
16 for the remainder of the hearing tomorrow.

17 MR. PRETTYMAN: Your Honor, I don't know if Mr.
18 Benson is going to have any other witnesses. I informed
19 him and the Court through your secretary that Detective
20 Sullivan was going to be the other Government witness
21 that's flying back in tonight. So I don't know if
22 there's going to be any need for them or not.

23 MR. BENSON: My only problem is, Judge, not
24 knowing what Officer Sullivan is going to say, I don't
25 know that I may not need to recall them or one of them.

1 THE COURT: Well, they're both in Delaware;
2 right?

3 MR. PRETTYMAN: Yes, your Honor.

4 THE COURT: Why don't we just wait and see?
5 We may not be able to get them back here tomorrow. We'll
6 get them another day.

7 MR. BENSON: That's fine. I just want the
8 Court to be aware, depending on his testimony, that
9 might create --

10 THE COURT: All right. I just don't see any
11 reason to bring them back in tomorrow if they're not
12 needed and if they're locally available.

13 MR. BENSON: That's fine.

14 THE COURT: All right. Good.

15 MR. BENSON: 9:00 o'clock?

16 THE COURT: 9:00 o'clock tomorrow morning.

17 (Court recessed at 5:20 p.m.)

18 - - -

19

20

21

22

23

24

25

I N D E X

GOVERNMENT'S TESTIMONY

DIRECT CROSS REDR RECR

Sp. Agt. Matthew G. Donahue ----- 4 16 26 ---

Amalendu Dasgupta ----- 28 41 --- ---

DEFENDANT'S TESTIMONY

Faye Bullock ----- 55 160 182 ---

Linette Crawford ----- 191 261 269 ---

I hereby certify that the foregoing is a true and accurate transcript from my stenographic notes in the proceeding.

Valerie J. Bunning

Official Court Reporter
U. S. District Court